

Also, papers to accompany House bill 22761; to the Committee on Pensions.

Also, papers to accompany House bill 18253; to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of the Wisconsin School Arts and Home Economics Association, of Eau Claire, Wis., favoring Senate bill 3, to aid in development of agricultural education, etc.; to the Committee on Agriculture.

By Mr. FULLER: Petition of C. H. Markham, president Illinois Central Railway Co., in favor of increased appropriation for strengthening and protecting the lower Mississippi levees, etc.; to the Committee on Rivers and Harbors.

Also, petition of National Board of Trade, relating to proposed amendments to the patent law, etc.; to the Committee on Patents.

Also, petition of Robert L. Hargrove, president Madero County Chamber of Commerce, concerning proposed flood-water canal from the San Joaquin River, near Pollasky, Cal., etc.; to the Committee on Railways and Canals.

By Mr. HANNA: Petitions of citizens of Kenmore, N. Dak., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petitions of citizens of Oaks and Washburn, N. Dak., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Mayville, Trail County, N. Dak., favoring passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of citizens of North Dakota, favoring passage of House bill 14, for a parcel-post law; to the Committee on the Post Office and Post Roads.

Also, petition of the North Dakota Retail Hardware Association, Fargo, N. Dak., against passage of general parcel post; to the Committee on the Post Office and Post Roads.

By Mr. LEE of Pennsylvania: Petition of citizens of the State of Pennsylvania, favoring passage of bill for building one battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. LINDSAY: Petition of John W. Merriam & Co., Habana cigar makers and importers, of New York, favoring passage of Senate bill 6103 and House bill 22766, prohibiting the use of trading coupons; to the Committee on Ways and Means.

Also, petitions of the Stationers' Board of Trade and National Board of Trade, relating to proposed amendments to the patent laws, etc.; to the Committee on Patents.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to William P. Worley, of East Chattanooga, Tenn.; to the Committee on Invalid Pensions.

By Mr. PARRAN: Papers to accompany bill for the relief of G. C. Stewart (H. R. 19845); to the Committee on Claims.

By Mr. PATTEN of New York: Memorial of the Chamber of Commerce of the State of New York, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Aero Club of America, urging legislation to improve conditions with respect to aviation in the Army; to the Committee on Military Affairs.

By Mr. PRAY: Petition of merchants of Valier, Geyser, Great Falls, Havre, Ringling, Kalispell, Columbia Falls, Blackfoot, Stanford, Utica, Lewistown, Sweet Grass, Chinook, and Townsend, Mont., protesting against the extension of the parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Teton County, Mont., and of the Presbytery of Kalispell, Mont., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. REILLY: Petitions of Wise, Smith & Co., of Hartford, Conn., and the Edward Malley Co., for continuance of the Tariff Board; to the Committee on Ways and Means.

Also, petition of E. P. Coyle, secretary, of Meriden, Conn., for enactment of House bill 22339; to the Committee on the Judiciary.

By Mr. SCULLY: Memorial of Post No. 67, Grand Army of the Republic, for passage of House bill 14070; to the Committee on Invalid Pensions.

Also, petition of Lodge No. 309, Brotherhood of Railroad Trainmen, favoring pending legislation relative to employers' liability and workmen's compensation; to the Committee on the Judiciary.

By Mr. SMITH of New York: Petition of Polish-American citizens of Buffalo, N. Y., protesting against the educational test in the immigration law; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Texas: Petitions of citizens of El Paso, Haskell, and Palava, Tex., for an investigation of the charges against the editors of the Appeal to Reason; to the Committee on Rules.

By Mr. SPEER: Papers to accompany bill granting an increase of pension to John E. Wise (H. R. 23507); to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: Memorial of Los Angeles (Cal.) Chamber of Commerce, for legislation providing for the examination of immigrants for mental defects; to the Committee on Immigration and Naturalization.

Also, petitions of citizens of Los Angeles, Cal., protesting against proposal to increase rate of postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, petition of the Los Angeles (Cal.) Photo-Engravers' Union, for legislation protecting the union label in the District of Columbia and the Territories; to the Committee on the District of Columbia.

Also, memorial of the Native Daughters of the Golden West, urging that the Calaveras or Mammoth Grove of Big Trees be acquired by the United States Government; to the Committee on the Public Lands.

Also, petition of citizens of the State of California, for enactment of House bill 14, providing for a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of the Friday Morning Club and of James Coenen, of Los Angeles, Cal., in favor of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of the Young People's Endeavor Union and of the United Brethren Church, of Palms, Cal., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. TAYLOR of Colorado: Memorial of Local Lodge of the Socialist Party of Ouray, Colo., against the indictment of the editor of the Appeal to Reason, of Fort Girard, Kans.; to the Committee on Rules.

By Mr. TILSON: Petition of the Aero Club of America, urging legislation to improve conditions with respect to aviation in the Army; to the Committee on Military Affairs.

By Mr. TOWNSEND: Petition of the Woman's Christian Temperance Union of Newark; of Emma Bourne Woman's Christian Temperance Union, of East Orange; of the Woman's Christian Temperance Union of Essex County; and of the Woman's Christian Temperance Union of Newark, N. J., favoring passage of Kenyon-Sheppard bill for interstate liquor law; to the Committee on the Judiciary.

By Mr. TUTTLE: Petition of Patrolmen's Benevolent Association, of Elizabeth, N. J., for retirement of employees in the civil service; to the Committee on Reform in the Civil Service.

Also, petition of Central Division, No. 157, Brotherhood of Locomotive Engineers, for enactment of House bill 20487; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of Ohio Society, Sons of the Revolution, asking for the enactment of a law to provide for the publication of the archives of the Government relating to the Revolutionary War; to the Committee on Military Affairs.

By Mr. WOOD of New Jersey: Papers to accompany bill for the relief of Lieut. Richard Phillip McCullough (H. R. 19397); to the Committee on Naval Affairs.

Also, memorial of the delegates of the 26 Polish societies of Trenton, N. J., against the educational test in the bill to further regulate the immigration of aliens; to the Committee on Immigration and Naturalization.

## SENATE.

TUESDAY, April 23, 1912.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of members of the State Board of Education of New Mexico, praying for the enactment of legislation providing for cooperation with the States in encouraging instruction in agriculture, etc., which was ordered to lie on the table.

Mr. ASHURST presented a resolution adopted by the Chamber of Commerce of Tucson, Ariz., and a petition of sundry citizens of Tucson, Ariz., favoring an appropriation for the purpose of prospecting for oil, gas, and artesian water in Pima County, Ariz., which were referred to the Committee on Public Lands.

He also presented a petition of the Woman's Christian Temperance Union of Winslow, Ariz., praying for the enactment of

an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. JONES. I have a great many memorials, signed by citizens of the State of Washington, remonstrating against the passage of what is known as the Owen medical bill. I move that the memorials lie on the table.

The motion was agreed to.

Mr. JONES. I have two telegrams, in the nature of memorials, remonstrating against the Owen medical bill. I ask that the signatures to the telegrams be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and the signatures to be printed in the Record, as follows:

From ex-Mayor E. A. Tucker, State Senator J. W. Bryan, and County Superintendent of Schools T. E. Hulse, of Bremerton, Wash.; of J. W. Clark, J. A. Hood, J. J. Carney, F. W. Loomis, John B. Orton, and G. E. Anderson, of Aberdeen, Wash.

Mr. JONES presented a petition of sundry citizens of the State of Washington, praying for the enactment of legislation providing for a change in the time of residence under the homestead laws from five to three years, which was ordered to lie on the table.

Mr. GRONNA. I have two telegrams in the nature of memorials remonstrating against the passage of what is known as the employers' liability and workmen's compensation bill. I ask that the telegrams lie on the table and be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the Record, as follows:

MINOT, N. DAK., April 21, 1912.

Hon. A. J. GRONNA,  
United States Senate, Washington, D. C.:

Delay action on Senate bill No. 5382. Explanatory letter following.

A. ALBERTSON,  
Secretary-Treasurer Subdivision No. 659,  
Brotherhood of Locomotive Engineers.

MINOT, N. DAK., April 19, 1912.

Hon. A. J. GRONNA,  
Washington, D. C.:

Please kill bill No. 5382.

CHARLES LEE,  
Secretary Subdivision 683,  
Brotherhood of Locomotive Firemen and Engineers.

Mr. GALLINGER presented a memorial of the East Washington Citizens' Association, of the District of Columbia, remonstrating against the enactment of legislation authorizing the condemnation of land along the Anacostia River for highway and park purposes, which was referred to the Committee on the District of Columbia.

He also presented a petition of Mount Washington Grange, No. 116, of Whitefield, N. H., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

Mr. BORAH. I have a letter concerning what is known as the employers' liability and workmen's compensation bill. The letter is short, and I ask that it be read.

There being no objection, the letter was read and ordered to lie on the table, as follows:

ELMORE LODGE, No. 733,  
BROTHERHOOD OF RAILROAD TRAINMEN,  
Glenns Ferry, Idaho, April 13, 1912.

Hon. W. E. BORAH, Washington, D. C.

DEAR SIR: There is now before the Senate a bill, known as Senate bill No. 5382, introduced by Senator SUTHERLAND. This bill is known as employers' liability and workmen's compensation act.

This bill has been given deep study and due deliberation by the railway trainmen working in the State of Idaho and meets with their full approval, and we as a body ask you to use every effort in your power to help this bill pass the Senate. It is unnecessary for us to call your attention to the benefits to be derived by the railway employees in the United States from the passage of this bill, and we ask you as a friend of the workmen not only to vote for same but to use your utmost endeavors to have this bill passed.

Thanking you in advance for whatever assistance you may be able to render in the above matter, we remain,  
Respectfully,

C. C. NIELSEN, Treasurer.

Mr. OLIVER presented memorials of sundry citizens of Crafton, Pittsburgh, Wilksburg, and Punxsutawney, all in the State of Pennsylvania, remonstrating against the establishment of a Federal department of health, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for the enactment of legislation to provide for the free delivery of mail matter in towns outside of incorporated cities and villages, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Leola and McKees Rocks, in the State of Pennsylvania, praying for the enactment of an interstate liquor law to prevent the nullifica-

tion of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a petition of Major William McKinley Camp, No. 10, Department of Pennsylvania, United Spanish War Veterans, of Philadelphia, Pa., praying for the enactment of legislation to pension the widow and minor children of any officer or enlisted man who served in the War with Spain or in the Philippine insurrection, which was referred to the Committee on Pensions.

Mr. WORKS. I have a number of memorials in the nature of protests against the passage of the Owen health bill. They are signed by 9,933 citizens of California. The headings to the memorials are quite short, and I ask that one of them be printed in the Record without the signatures.

There being no objection, the memorials were ordered to lie on the table, and the heading of one was ordered to be printed in the Record, as follows:

To the Congress of the United States of America,  
Washington, D. C.:

We, the undersigned citizens of the United States of America and State of California, do hereby vigorously and emphatically protest against the passage of Senate bill No. 1 (introduced by Senator OWEN), providing for the establishment of a national bureau of health; Senate bill No. 5972 (introduced by Senator SMOOR), increasing the functions of the Public Health and Marine-Hospital Service; or other similar medical legislation, for the following reasons:

(1) It would mean Government exploitation of the regular school of medicine (the school which has always controlled the medical affairs of the United States Government) in discrimination against all other schools of healing, giving enlarged Government sanction to an already created medical trust, and would be class legislation of the most pernicious character.

(2) Such proposed legislation would be used by the American Medical Association as an entering wedge to the establishing of state medicine, which would be as obnoxious to American citizens as state religion.

(3) It is unnecessary legislation. The present medical activities of the Government, combined with the highly efficient service rendered by State boards of health, are ample to cope with all demands made upon them. Further legislation would be useless and would involve a needless expenditure of public moneys. (Said Prof. Irving Fisher, in a plea for a national department of health, "It is a project which once started will surely expand within a decade so that millions upon millions of Government money will be put into this most-needed form of national defense.")

(4) It would mean Federal interference with the rights of the States in their conduct of their internal health affairs.

(5) In the dissemination of information authorized by such legislation the country would be flooded at the taxpayers' expense with literature concerning the ever-changing fads and fancies of the allopathic school of medicine.

(6) It would furnish thousands of permanent Government jobs for graduates of the regular school of medicine who at present are unable to compete with the rapidly increasing popularity of the independent schools of medicine and systems of healing.

Mr. WORKS. I have a number of telegrams in the nature of memorials remonstrating against the Owen medical bill. I ask that the telegrams lie on the table and be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the Record, as follows:

LOS ANGELES, CAL., April 19, 1912.

Hon. JOHN D. WORKS,  
Washington, D. C.:

I hope you will do all in your power to aid in defeating the Owen bill, Senate bill No. 1. I consider it a bad measure. It will open the way to a further extension of the power of the allopathic doctors already controlling the health activity of the United States Government. The wide circulation of bulletins which the bill authorizes would undoubtedly result in forcing upon the people, whether willing or not, masses of literature favoring allopathy methods and theories to the exclusion of all others. Competition and an open field for investigation and research is as essential in medicine as it is in industries and business. It is as important to preserve the medical freedom of the American people as it is their political and religious freedom.

EDWIN T. EARL.

LOS ANGELES, CAL., April 19, 1912.

Hon. JOHN D. WORKS,  
United States Senate, Washington, D. C.:

I learn that Owen bill, providing for bureau of health, has been favorably reported out of committee, and I want to place myself on record as emphatically opposing it. Hope you will assist in preventing its passage. Those of us who have studied the political activities of the American Medical Association see in this measure a directed effort to enact discriminatory allopathic medical legislation interfering with freedom of individuals in selecting homeopathy or some other method. It is class legislation and not a popular measure.

W. J. HAWKES, M. D.,  
Vice President California State Homeopathic Society.

LOS ANGELES, CAL., April 20, 1912.

Hon. J. D. WORKS,  
Senate, Washington, D. C.:

Owen bill would permit of further Federal discrimination against independent schools of medicine and methods of healing. Present monopoly of allopathic school in the United States Government should be abolished instead of giving further approval to present discrimination. Owen bill is a bad measure; am glad you have taken a stand against it.

Mrs. R. L. CRAIG.



LOS ANGELES, CAL., April 20, 1912.

Hon. JOHN D. WORKS,  
United States Senator, Washington, D. C.:

Believe such legislation as proposed Owen bill unnecessary; can not see where it will render present medical activities of the Government more efficient. Deem it needless expenditure of people's money.

MARCO H. HELLMAN.

SANTA BARBARA, CAL., April 19, 1912.

Hon. JOHN D. WORKS,  
Senate Chamber, Washington, D. C.:

I emphatically protest against State medicine exemplified by Owen bill under control of the old school, which has always been essentially unfair, intolerant, and arbitrary as against any other school of medicine attested by my 33 years' experience as homeopathic physician and intimate acquaintance with many medical men.

HENRY L. STAMBACH, M. D.

LOS ANGELES, CAL., April 19, 1912.

Hon. JOHN D. WORKS,  
United States Senator, Washington, D. C.:

Your stand opposing Senate bill No. 1 meets my hearty approval. The legislation proposed is not necessary; in its effect it will be class and discriminatory statute violating constitutional principles. Result will place health and physical well-being of people in hands of interested school of medicine in practical partnership with Federal Government; hope it will not pass.

LESLIE R. HEWITT.

Mr. WORKS presented a petition of Datus E. Coon Post, No. 172, Department of California and Nevada, Grand Army of the Republic, of San Diego, Cal., and a petition of Heintzelman Post, No. 33, Department of California and Nevada, Grand Army of the Republic, of San Diego, Cal., praying for the enactment to legislation to curb anarchy, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the City Club, of Los Angeles, Cal., favoring the creation of a permanent nonpartisan tariff board, which were referred to the Committee on Finance.

Mr. NIXON presented a petition of sundry citizens of Blair, Nev., praying for the enactment of legislation authorizing the construction of one of the proposed new battleships in the Brooklyn Navy Yard, which was referred to the Committee on Naval Affairs.

Mr. GARDNER presented petitions of Local Granges No. 6, of Monroe; No. 60, of East Corinth; No. 127, of Litchfield; and No. 66, of Waldo, Patrons of Husbandry, and of sundry citizens of Boothbay, all in the State of Maine, praying for the establishment of a governmental system of postal express, which were referred to the Committee on Post Offices and Post Roads.

Mr. SMITH of Maryland presented memorials of sundry citizens of Baltimore and Chevy Chase, in the State of Maryland, remonstrating against the establishment of a national department of health, which were ordered to lie on the table.

Mr. SANDERS presented a petition of members of the Conference of the Methodist Episcopal Church South, of the Chattanooga district, in the State of Tennessee, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. SUTHERLAND. I have two telegrams in the nature of memorials remonstrating against the passage of the so-called Owen medical bill. I ask that the telegrams lie on the table and be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the Record, as follows:

PARK CITY, UTAH, April 20, 1912.

Senator GEORGE SUTHERLAND,  
Senate Chamber, Washington, D. C.:

Am opposed to any bill which will in any way interfere with rights of citizens to employ a practitioner of his own choice or to formation of a national department of health.

W. D. SUTTON.

PARK CITY, UTAH, April 20, 1912.

Senator GEORGE SUTHERLAND,  
Senate Chamber, Washington, D. C.:

Am opposed to any bill which would tend to prevent a citizen from choosing his own practitioner and also to the formation of a national department of health.

SHERMAN FARGO.

Mr. PENROSE presented memorials of Local Division No. 147, of Easton; Local Division No. 163, of Oil City, Order of Railway Conductors; and of Local Lodge No. 222, Brotherhood of Railroad Trainmen, of New Castle, all in the State of Pennsylvania, praying for the passage of the so-called employers' liability and workmen's compensation bill, which were ordered to lie on the table.

He also presented petitions of the congregations of the Temple Presbyterian Church and the North Tenth Street Presbyterian Church, of Philadelphia, Pa., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of beverages containing alcohol, which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Zwingli Reformed Church, of Berwick; of the Woman's Christian Temperance Union of Van Orner, and of sundry citizens of Rochester Mills, all in the State of Pennsylvania, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of Local Division No. 315, International Brotherhood of Locomotive Engineers, of Clinton, Ill., praying for the passage of the so-called employers' liability and workmen's compensation bill, which was ordered to lie on the table.

Mr. CURTIS presented a petition of the Woman's Christian Temperance Union of Osborne, Kans., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Burlington, Oswego, Leavenworth, Pittsburg, Horton, Eldorado, Independence, Arkansas City, Spearville, Humboldt, Coffeyville, Sedan, Girard, Dodge City, and Columbus, all in the State of Kansas, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented memorials of sundry citizens of Altamont, Vinland, Kimball, Bern, Argonia, Topeka, Garfield, Rozel, Tonganoxie, McAllister, Frederick, Orion, Galatia, Beverly, Durham, Dayton, Larned, Green, Bancroft, Clay Center, Effingham, Menlo, Enterprise, Menno, Eudora, and Industry, all in the State of Kansas, remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which were referred to the Committee on Agriculture and Forestry.

Mr. WETMORE presented a memorial of sundry citizens of Providence, R. I., remonstrating against the enforcement of the so-called Taylor system of shop management in navy yards, which was referred to the Committee on Naval Affairs.

Mr. PERKINS presented a petition of the Woman's Christian Temperance Union of Parlier, Cal., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Chamber of Commerce of San Francisco, Cal., favoring the adoption of a 1-cent letter postage, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the Chamber of Commerce of San Francisco, Cal., favoring the recognition by the United States of the Republic of China, which were referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a petition from members of the City Club, of Los Angeles, Cal., praying for the enactment of legislation providing for the creation of a permanent nonpartisan tariff board, which was referred to the Committee on Finance.

He also presented a petition of Local Grange No. 354, Patrons of Husbandry, of Orangevale, Cal., praying for the establishment of a parcel-post system, and remonstrating against the enactment of legislation to permit the coloring of oleomargarine in imitation of butter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Heintzelman Post, No. 33, Department of California and Nevada, Grand Army of the Republic, of San Diego, Cal., praying for the enactment of legislation providing for the deportation of alien anarchists, which was referred to the Committee on Immigration.

He also presented resolutions adopted by the Lindsay Center of the California Civic League, favoring an appropriation for the enforcement of the so-called white-slave traffic law, which were referred to the Committee on Appropriations.

He also presented resolutions adopted by the Central Labor Council of Los Angeles, Cal., and endorsed by the Federated Trades Council of Sacramento, Cal., relative to the control of railroad companies or corporations, which were referred to the Committee on the Judiciary.

Mr. STEPHENSON presented memorials signed by 3,000 citizens of Wisconsin, remonstrating against the establishment of a department of public health, which were ordered to lie on the table.

He also presented a petition of members of the Commercial Club of Superior, Wis., praying for the enactment of legislation providing that American vessels engaged in coastwise traffic be entitled to passage through the Panama Canal free of tolls and charges, which was referred to the Committee on Inter-oceanic Canals.

He also presented petitions of sundry citizens of Beloit and Whitewater, in the State of Wisconsin, praying that an appro-

priation be made providing for the endowment and support of the agricultural colleges of the country, which were ordered to lie on the table.

He also presented a petition of the State Bottlers' Association, of Milwaukee, Wis., praying for a reduction of the duty on sugar, which was referred to the Committee on Finance.

He also presented a petition of Local Union No. 4, Tug Firemen and Linemen's Protective Association of the Great Lakes, of the port of Milwaukee, Wis., praying for the passage of the so-called eight-hour bill, which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. BRYAN, from the Committee on Claims, to which was referred the bill (S. 6056) for the relief of J. B. Thompson, reported adversely thereon and the bill was postponed indefinitely.

Mr. JONES, from the Committee on the District of Columbia, to which was referred the bill (S. 5461) governing the granting of licenses for barrooms in the District of Columbia, and for other purposes, reported it with amendments and submitted a report (No. 651) thereon.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4461. A bill permitting chief office deputy United States marshals to act as disbursing officers for their principals in cases of emergency (Rept. No. 652); and

S. 4679. A bill to amend section 95 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911 (Rept. No. 653).

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (S. 1682) for the relief of B. H. Harrison, reported adversely thereon and the bill was indefinitely postponed.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (S. 5756) for the relief of W. R. Wells, administrator of the estate of James S. Wells, deceased, asked to be discharged from its further consideration and that it be referred to the Committee on Indian Depredations, which was agreed to.

#### CLAIMS OF SOPHIE M. GUARD AND OTHERS.

Mr. CRAWFORD, from the Committee on Claims, to which were referred the bills (S. 4325) for the relief of Sophie M. Guard, (S. 5518) for the relief of the estate of Zealous Bates Tower, (S. 5472) for the relief of the estate of Thomas Murray Tolman, (S. 5456) for the relief of the estate of Philip Halsey Remington, (S. 5526) for the relief of the executor of Loomis Lyman Langdon, (S. 5525) for the relief of the estate of Joseph Hunter McArthur, (S. 5417) for the relief of George Lemuel Turner, (S. 5473) for the relief of Jennie R. W. Vollmer, (S. 5443) for the relief of Susan Dye Baylies, (S. 5542) for the relief of Jane A. Oberly, and (S. 5566) for the relief of the estate of William Hemphill Bell, reported the following resolution (S. Res. 289), which was considered by unanimous consent and agreed to:

*Resolved*, That the claims of Sophie M. Guard (S. 4325), estate of Zealous Bates Tower (S. 5518), estate of Thomas Murray Tolman (S. 5472), estate of Philip Halsey Remington (S. 5456), executor of Loomis Lyman Langdon (S. 5526), estate of Joseph Hunter McArthur (S. 5525), of George Lemuel Turner (S. 5417), of Jennie R. W. Vollmer (S. 5473), of Susan Dye Baylies (S. 5443), of Jane A. Oberly (S. 5542), and estate of William Hemphill Bell (S. 5566), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

#### HEARINGS BEFORE THE COMMITTEE ON PATENTS.

Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 285, submitted by Mr. Brown on the 17th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Patents or any subcommittee thereof be, and is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee during the Sixty-second Congress, and to have the same printed for its use; and that such stenographer be paid out of the contingent fund of the Senate.

#### LAND AT CORSICANA, TEX.

Mr. CULBERSON. I ask that the Committee on Public Lands be discharged from the further consideration of the bill (H. R. 12013) to authorize the Secretary of the Treasury to convey to the city of Corsicana, Tex., certain land for alley purposes, and that the bill be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Without objection, the order is entered.

#### BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DU PONT:

A bill (S. 6463) to amend certain acts of Congress which regulate promotion among certain officers of the United States Army; to the Committee on Military Affairs.

A bill (S. 6464) granting an increase of pension to Jonathan D. Harrington; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 6465) for the relief of Franklin Martin; to the Committee on Military Affairs.

A bill (S. 6466) granting an increase of pension to George C. Lewis (with accompanying paper); to the Committee on Pensions.

By Mr. GARDNER:

A bill (S. 6467) granting an increase of pension to Charles H. Hilton (with accompanying paper);

A bill (S. 6468) granting an increase of pension to Henry M. Bennett (with accompanying paper); and

A bill (S. 6469) granting an increase of pension to James W. Pendleton (with accompanying paper); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 6470) to amend the Code of Law for the District of Columbia regarding the taking of testimony in certain cases (with accompanying papers); and

A bill (S. 6471) to fix the rates for water furnished to private consumers in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LODGE:

A bill (S. 6472) to authorize the Secretary of the Treasury to sell certain land to the First Baptist Church of Plymouth, Mass.; to the Committee on Public Buildings and Grounds.

A bill (S. 6473) for the relief of Susan R. Staples; to the Committee on Claims.

By Mr. STEPHENSON:

A bill (S. 6474) granting an increase of pension to John E. Watkins (with accompanying papers); and

A bill (S. 6475) granting an increase of pension to John L. Skinner, jr. (with accompanying paper); to the Committee on Pensions.

By Mr. CRAWFORD:

A bill (S. 6476) granting an increase of pension to John D. Wood, jr. (with accompanying paper); and

A bill (S. 6477) granting an increase of pension to Elmer Wagar (with accompanying paper); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 6478) to protect migratory game birds of the United States; to the Committee on Forest Reservations and the Protection of Game.

By Mr. CLARKE of Arkansas:

A bill (S. 6479) to authorize the St. Louis Southwestern Railway Co. to repair, alter, or rebuild certain bridges in the State of Arkansas; to the Committee on Commerce.

By Mr. SHIVELY:

A bill (S. 6480) to repeal the act entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce"; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 6482) to authorize the coinage of 3-cent pieces and one-half-cent pieces, and for other purposes; to the Committee on Standards, Weights, and Measures.

By Mr. WATSON:

A bill (S. 6483) for the relief of Henry H. Morehead (with accompanying papers); to the Committee on Claims.

By Mr. NIXON:

A bill (S. 6484) granting an increase of pension to Ralph A. Thompson (with accompanying papers); and

A bill (S. 6485) granting an increase of pension to Martin Kennedy (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 6486) granting an increase of pension to William H. H. Brown; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 6487) granting a pension to George Halg (with accompanying papers);

A bill (S. 6488) granting an increase of pension to James W. Wachob (with accompanying papers);

A bill (S. 6489) granting an increase of pension to David G. S. Gochanauer (with accompanying papers); and



A bill (S. 6490) granting a pension to Mary E. Mathews (with accompanying papers); to the Committee on Pensions.

By Mr. BRADLEY:

A bill (S. 6491) granting an increase of pension to Alexander Harris (with accompanying paper); and

A bill (S. 6492) granting an increase of pension to Eliza Ash (with accompanying papers); to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 6493) granting a pension to Marion G. Blodgett; to the Committee on Pensions.

A bill (S. 6494) for the relief of John Duggan, alias John McCarty (or McCarthy); to the Committee on Military Affairs.

By Mr. WARREN:

A joint resolution (S. J. Res. 100) authorizing the Secretary of the Interior to permit the continuation of coal-mining operations on certain lands in Wyoming (with accompanying paper); to the Committee on Public Lands.

#### SAFETY OF LIFE AT SEA.

Mr. ASHURST introduced a bill (S. 6481) to require steamships and steam vessels leaving ports of the United States to provide adequate life-saving apparatus and safeguards against accidents, which was read twice by its title and, with accompanying paper, referred to the Committee on Commerce.

Mr. ASHURST. I have a letter from a distinguished citizen of Arizona which contains an argument in support of the bill I have just introduced. It is a bill calculated to curb the speed of vessels operated by steamship companies. I ask that the letter be printed in the Record and referred to the Committee on Commerce.

There being no objection, the letter was referred to the Committee on Commerce and ordered to be printed in the Record, as follows:

FLAGSTAFF, ARIZ., April 18, 1912.

HON. HENRY F. ASHURST,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: The appalling disaster visited upon the civilized world through the wreck of the *Titanic* brings very vividly before my mind a thought that has haunted me at intervals since a trip that I made from Italy in the spring of 1905.

As we were leaving Gibraltar the passengers on our steamer had a full view, as we passed out of the harbor, of a German freight steamer which had just pulled into the harbor enveloped in flames. The burning ship was surrounded before we passed out of view by a number of boats, the crews of which were pouring floods of water on the burning ship. I have no doubt but that the flames were extinguished and that no great damage was done.

Naturally, the scene caused considerable gossip on the steamer upon which I was a passenger, and I remember distinctly presenting the question as to what would happen to us should a serious fire break out on our steamer in mid-ocean or should some other serious accident take place. It was evident that our only recourse would be the lifeboats and life rafts on board; and that these would have to avail until chance steamers should pick us up. Two or three of us then decided to find out just what provision was made on the steamer for taking care of human life in such an emergency. We counted up all the lifeboats and life rafts provided by the boat and then computed the number of persons who could possibly be crowded into these rafts and boats, and, as I recall, the greatest number we could find provision for was 800 people. As there were on board, including the crew, 2,064 people, the interesting question developed, what was to become of the 1,264 people in the event of a serious emergency. The obvious answer was that the 1,264 people would be in the interesting position of sucking their thumbs and matching their final dollars as to the precise instant at which they were to take their final plunge.

It was quite evident that if there were any brave men on board, in view of the fact that there were more than 800 women and children on board, there would be nothing left for the brave men to do, in deference to the magnanimous provision made for their safety by the steamship company, than to pass the women and children into the meager lifeboats and to pass in their own checks. The situation appeared to me to be at the same time so contemptible and so full of peril that I determined to call it to the attention of the navigation authorities upon landing at New York. I did not do so, however, feeling that there were so many things about a steamer that a landlubber like myself could not appreciate and that the navigation authorities did, that it was better to suppress my lubberly ideas as to the sacredness of human life and to trust to Providence to look after the interests of the seafaring public.

Since that trip I have been aboard steamers to other points and have always sized up the life-saving situation, and I must say in no case have I ever found a provision for the saving of life to be equal to more than one-third of the passenger list.

It is quite evident, from the press reports, that if the *Titanic* had sufficient lifeboats there would have been practically no loss of life, since all of the lifeboats launched were accounted for with their passengers, and it is to be presumed that if they had had three times as many lifeboats they would have weathered the situation until relief came. The appalling fact stands out clear in this whole lamentable disaster that some of the brightest and noblest minds of the civilized world went to their fate simply through a lack of provision by the steamship company of life-saving apparatus. The gallant Maj. Butt, the forceful Mr. Stead, the brother of your colleague in the Senate, Mr. Guggenheim, and others of like power in the nations on both sides of the Atlantic went down to an untimely end simply through a lack of the provision that should have been made for their safety. These men, and the other heroes who went with them, were asked by the steamship company in the hour of danger to step aside and let women and children be saved. The civilized world expected this of them, while admiring them for their self-sacrifice, but the civilized world would be false to its high ideals if, at the same time, it did not condemn its own inactivity which made possible the necessity for such sacrifice.

I appeal to you now as being in a position to remedy this terrible state of affairs, or, at least, to put yourself and your friends on record as having no part, at least in the future, in any such unnecessary and terrible sacrifices of human life. A law should be passed, made by the Congress of the United States, forbidding the port officers of any American port to permit any vessel, whatever flag it might fly, to leave any American port without having lifeboat provisions for every passenger that it carries, and, in addition to this, surplus lifeboat capacity of at least 10 per cent more than its passenger capacity in order to provide for emergencies.

I realize perfectly well that it would be useless to attempt to prescribe rules for incoming vessels flying foreign flags, but the United States Congress can prescribe such rules for outgoing vessels, whatever may be the flag under which they are sailing. Of course a suggestion of such a bill would produce a howl from every steamship company on both sides of the Atlantic. It would be immediately shown that such a measure was impossible of execution; that the load would reduce the weight-carrying capacity beyond the point of profit; that the additional friction would make it impracticable, and a host of such other reasons, always obscuring the one essential point—that human life must be protected.

Much has been done through legislation to protect human life on railroads. The same and more can be done, if it is gone after, for the protection of human life at sea.

I sincerely hope that you will give the weight of your influence to the introduction and passage of such a law, and that you will not be diverted from it by any of the bogies that the steamship interests may present, brushing everything aside except the one luminous fact that human life must be preserved.

We as a Nation have been taught a great lesson by this disaster. It has taken some of the flower of our people and has entered intimately even into the very household of our President. I think that the sympathy of the whole Nation goes out to President Taft under the personal sorrow that must be his in the loss of his "fidus Achates" in the person of Maj. Butt. He can replace the ordinary politician and the ordinary officeholder in an impersonal manner, but the loss of one so intimately connected with his every affair must be a severe affliction to the head of the Nation, and which each of its citizens, regardless of party, should feel; and no doubt does feel, the loss that has come to its head.

In the hope that you may be able to accomplish something on this, I am,

Very sincerely,

M. J. RICHARDSON.

#### OMNIBUS CLAIMS BILL.

Mr. GARDNER submitted an amendment intended to be proposed by him to the bill (H. R. 19115) making appropriation for payment of certain claims in accordance with the findings of Court of Claims, reported under the provisions of the acts approved March 3, 1883, and March 3, 1887, and commonly known as the Bowman and the Tucker Acts, which was referred to the Committee on Claims and ordered to be printed.

#### AMENDMENT TO AGRICULTURE APPROPRIATION BILL.

Mr. PAGE submitted an amendment relative to experiments in breeding horses for military purposes, etc., intended to be proposed by him to the Agriculture appropriation bill (H. R. 18960), which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

#### AMENDMENT TO RIVER AND HARBOR BILL.

Mr. DU PONT submitted an amendment relative to the improvement of the inland waterway between Rehoboth Bay and Delaware Bay, Del., etc., intended to be proposed by him to the river and harbor appropriation bill (H. R. 21477), which was referred to the Committee on Commerce and ordered to be printed.

#### SUPPORT OF AGRICULTURAL COLLEGES.

Mr. BRADLEY submitted an amendment intended to be proposed by him to the bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, which was ordered to lie on the table and be printed.

#### WOMAN SUFFRAGE (S. DOC. NO. 601).

Mr. SMOOT. I ask that the hearings had before the joint committee of the Committee on the Judiciary and Committee on Woman Suffrage, United States Senate, Sixty-second Congress, second session, upon woman suffrage, be printed as a Senate document.

The VICE PRESIDENT. Without objection an order therefor will be entered.

#### LANDS AND WATERS IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT laid before the Senate the bill (H. R. 22642) providing for the protection of the interests of the United States in lands and waters comprising any part of the Potomac River, the Anacostia River or Eastern Branch, and Rock Creek and lands adjacent thereto.

Mr. GALLINGER. Mr. President, this bill was presented to the Senate a few days ago, and I called attention to the fact that there is on the calendar a bill in substantially the same language as this bill. For that reason I asked consent to have the House bill considered. It was read, but I was then in-

formed that the Department of Justice might want to have it somewhat amended. For that reason I had it laid aside. The Department of Justice has reported that it has concluded that the bill is in proper form. I now ask for its consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

—The VICE PRESIDENT. Senate bill 1898 of like title, now on the calendar, will be taken from the calendar and action thereon indefinitely postponed.

#### ELECTION OF SENATORS BY DIRECT VOTE.

Mr. CLARK of Wyoming. Mr. President, something like a week ago I gave notice to the Senate of the fact that the committee of conference on the disagreeing votes of the two Houses on House joint resolution No. 39, providing for the direct election of Senators by the people, had been unable to agree, stating at that time that because of the great public interest apparent in this question, and in order that all Senators might have due notice, the formal presentation of the disagreement would be postponed until this morning. It is now my purpose, Mr. President, to present that formal disagreement, prefacing it, however, with a statement that the members of the committee of conference of both the Houses have been diligent in their efforts to reach an agreement on the disagreeing votes of the two Houses. The committee has had no less than 16 joint meetings, at all of which a majority of the committee from both Houses have been present. Notwithstanding their efforts, the fact of disagreement still remains. I think it is due to the Senate to make a short statement as to the disagreement.

Owing to the fact that there seems to be a misunderstanding in some quarters as to the purport of the proposed amendment to the Constitution providing for the election of Senators by the people, it might be well if the actual situation were concisely stated, so that there can be no question as to the attitude of Members of the Senate in relation thereto.

For many years there has been a growing belief in the United States that the Senators of the United States should be elected, as are the Representatives, by direct vote of the people, and that the duty of choosing Senators should not be performed by members of legislatures. This has been largely brought about by the fact that in some States regrettable scandals have attended the election and by the belief that large sums of money have been habitually used, either directly or indirectly, in procuring elections by the legislatures, and it has been thought that by giving the election directly into the hands of the people these scandals and practices would be avoided, or at least minimized. The full scope and extent of the desire of the people, so far as it has found expression, has been that the vote for Senators should be taken directly to the people, and the demand has been made that the Constitution be amended so as to procure this very clear and definite result.

There is at present a difference of opinion between the Senate and the House as to the exact form which this resolution for an amendment should assume. The House of Representatives passed a form of resolution providing not only for the amendment that should take the election direct to the people by an amendment to section 3 of Article I of the Constitution, but also proposed an amendment to section 4, Article I, which section gives to Congress supervisory authority over the regulations prescribed in each State as to the manner of holding elections for Senators and Representatives.

In passing this resolution the House seeks not only to provide for the election of Senators by the direct vote of the people, but also seeks to strip the Congress of the United States of any authority to supervise, in any manner or degree, the election of Senators, notwithstanding the fact that the proposed amendment of the House still leaves this power intact so far as election of Members of the House of Representatives is concerned. The Senate amendment, on the other hand, provides simply and solely for the election of the Senators by the people, leaving the supervisory authority of Congress over the election, both of Senators and Representatives chosen by the same electorate, in exactly the same condition as it now is in the Constitution. In other words, the House provides for two amendments to the Constitution—the Senate provides for one only.

In the opinion of many of the best constitutional authorities, the amendment of the House would absolutely leave the Congress of the United States helpless to make inquiry into the election of a Senator in any manner whatever. The last Congress passed a publicity bill in which the amount that might be expended by or for a candidate for the Senate of the United States was expressly limited to a sum definite and certain. It would seem possible that under the proposed amendment as

presented by the House no bill of that sort could be passed, and Congress would have no authority either to inquire into or to limit the amount of money that might be expended in such an election. Certainly there are few who would contend that such a condition ought to exist. To deprive the Congress of the United States of the power to say whether or not a Member of either body of its Congress had been corruptly elected is striking at the very root of the legislative branch of our Government.

Now, Mr. President, I report the inability of the conferees to agree, return the conference papers to the Senate, and move that the Senate still further insist upon its amendment to House joint resolution No. 39.

The VICE PRESIDENT. The Senator from Wyoming presents the report of the committee of conference on the disagreeing votes of the two Houses on House joint resolution No. 39, and moves that the Senate further insist upon its amendment to the joint resolution.

Mr. BACON. Mr. President, I am one of the Senators delegated by this body to represent it upon the conference committee, and I have, I think, been assiduous in my attention to the duties assigned to me and diligent in the effort to try to bring about some arrangement between the two Houses. The paper, as I understand, which has just been read by the Senator from Wyoming [Mr. CLARK] is a report from that committee. Am I correct?

Mr. CLARK of Wyoming. It was not so intended.

Mr. BACON. Well, if it was not so intended, of course I have no right to see it.

Mr. CLARK of Wyoming. The Senator is perfectly welcome to see it.

Mr. BACON. I understand that.

Mr. CLARK of Wyoming. The Senator knows very well what the action of the committee was—that a report of the disagreement should be reported back to the Senate. I suppose there was nothing in that to preclude a Member of the Senate presenting the report setting forth in his own language his own views as to the differences between the two Houses.

Mr. BACON. Probably if the Senator would retain his patience a little while, until I get through, he would not find it necessary to make the remarks he has just uttered.

Mr. CLARK of Wyoming. The Senator from Georgia was looking toward me with an inquiring eye.

Mr. BACON. Mr. President, I simply rose to say that if what the Senator read was not intended as a report, of course I had no ground for complaint in the fact that it was not submitted to me or that I had not an opportunity to see it. If it contained simply the personal remarks of the Senator, I have no more right to be admitted into his confidence as to what those remarks would be upon that subject than I have on any other subject. Consequently the Senator is above criticism in that regard.

I did wish to say, Mr. President, that on that committee, of course, I represented, as everyone knows, the minority and the views of the minority. Under the rules of the conference committee the committee necessarily acts as a unit, and Senators standing for the Senate proposition necessarily, under the action of the majority, represent the unit. At the same time it is proper that I should say that the paper just read, which I understood at the time of the reading to be a report—of course, I take the statement of the Senator from Wyoming that it is not so intended—has the effect of a report, and I would respectfully ask that I have the opportunity to file the views which I, as a member of that committee, entertain as to the action of the committee and what I think should be the action now.

I want to say, however, in regard to one part of the paper just read, which bears a very striking resemblance to some things which have been uttered in the other House on the same subject, that I had intended, Mr. President, if the opportunity were presented, to offer an amendment to the joint resolution as it came from the Judiciary Committee, which would have probably met one of the objections which have been put forward in the paper just read by the Senator from Wyoming. I shall not read this now, except, of course, for information. I recognize the fact spoken of by the Senator that the recent legislation with regard to publicity might not be enforced if the resolution were adopted as it came from the other House and as it was reported to the Senate. Therefore, with the concurrence of such Senators as I have had the opportunity to confer with—I have had this but a few moments—I had intended, as I have already said, if the opportunity should be presented, to move to add this as an amendment to the joint resolution as it came from the Judiciary Committee and as it came from the other House, the joint resolution as it came from the House being the joint resolution reported from the Judiciary Committee. The amendment which I will offer, if the opportunity pre-



sents itself, is this: After reciting the joint resolution just as it was reported from the Judiciary Committee, add these words:

But Congress may make such regulations in any State whenever the legislature thereof shall neglect, refuse, or from any circumstance shall be incapable of doing so, and Congress may limit expenditures—

This is the part to which I call particular attention—

and Congress may limit expenditures and require publicity in connection with the nomination and election of Senators.

So that there will be no issue between the learned Senator and myself and those with whom I am in accord in regard to the advisability and propriety and importance of having this joint resolution so framed as to guard that particular point.

Now, I should like very much, Mr. President, as the paper which has been read by the Senator is presented, it is true, not formally as a report, but necessarily with the force and effect of a report, that I may have the opportunity to file a paper expressing the views of myself, representing the minority, in regard to this question.

The VICE PRESIDENT. Without objection, such permission is granted.

Mr. BACON. I would not have the opportunity if the motion made by the Senator is now to be acted upon, and it was with that in view that I made the request.

Mr. CLARK of Wyoming. Well, Mr. President, a week ago the notice was given so that all Senators might be prepared to take up this subject and act upon it at this time. As stated before, the presentation of the disagreement was delayed for six or seven or eight days in order that all who are interested might have due notice and be prepared to take up this matter at this time. Unfortunately, departing from my usual custom, in order that I might not be inaccurate, I reduced my remarks upon this question to writing. They are in no sense a part of the report; they are in no sense a part of the record, except as they are made a part of the record by being spoken upon the floor of the Senate. They purport to have no other or further authority or weight than the authority and weight of the word of mouth upon any proposition coming from any Senator upon the floor.

Mr. President, in view of all the circumstances and in view of the importance of this question which has been long lying in the committee—and I want to say without the fault of any member of the committee—it seems to me that, with the notice given, this matter ought to be taken up at this time and some disposition made of it.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming.

Mr. BORAH and Mr. SUTHERLAND addressed the Chair.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Mr. President, if the Senator from Utah desires to speak, I will yield to him. I was simply going to call for a quorum in order that there may be no one absent.

The VICE PRESIDENT. The Senator does not raise that question now?

Mr. BORAH. I understand the Senator from Utah desires to speak.

Mr. SUTHERLAND. No.

Mr. BORAH. I suggest, then, the absence of a quorum.

The VICE PRESIDENT. The Senator from Idaho suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Curtis	McCumber	Sanders
Bacon	Davis	McLean	Shively
Borah	Dillingham	Martine, N. J.	Simmons
Bourne	du Pont	Myers	Smith, Ariz.
Briggs	Fall	Nelson	Smith, Ga.
Bristow	Foster	Nixon	Smith, S. C.
Brown	Gallinger	O'Gorman	Smoot
Bryan	Gardner	Oliver	Stephenson
Burnham	Gronna	Overman	Stone
Catron	Guggeheim	Page	Sutherland
Chamberlain	Heyburn	Paynter	Thornton
Chilton	Hitchcock	Percy	Tillman
Clark, Wyo.	Johnson, Me.	Perkins	Townsend
Clarke, Ark.	Johnston, Ala.	Pomerene	Warren
Crane	Jones	Rayner	Watson
Crawford	Kern	Reed	Westmore
Culberson	Lippitt	Richardson	Williams
Cullom	Lodge	Root	Works

Mr. TOWNSEND. I desire to state that the senior Senator from Michigan [Mr. SMITH] is absent on the business of the Senate. I should like to have this statement stand for the day.

Mr. BRYAN. I desire to state that my colleague [Mr. FLETCHER] is necessarily absent on business of the Senate.

Mr. JONES. I desire to announce that my colleague [Mr. POINDEXTER] is unavoidably detained from the Chamber.

The VICE PRESIDENT. Seventy-two Senators have answered to the roll call. A quorum of the Senate is present.

Mr. BORAH. I rise to a parliamentary inquiry. Is a motion to recede from the Senate amendment and to concur in the House joint resolution in order at this time by way of amendment?

The VICE PRESIDENT. A motion to insist is practically the reverse of a motion to recede, and the motion to insist has been made.

Mr. WILLIAMS. I understand that after a matter has gone to conference any motion which brings the two Houses into accord has preference of a motion that keeps them apart.

The VICE PRESIDENT. Ordinarily that would be correct.

Mr. WILLIAMS. A motion to recede and concur has the preference over a motion to insist.

The VICE PRESIDENT. No motion to recede and concur has been made.

Mr. WILLIAMS. I understood that was the motion made by the Senator from Idaho.

Mr. BORAH. The thought has occurred to me that I want some further parliamentary information. I presume that a motion to recede and concur in the House joint resolution would necessitate a two-thirds vote in order to concur.

The VICE PRESIDENT. The Chair thinks there is no doubt about that.

Mr. BORAH. Then I will not make the motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Wyoming.

Mr. BACON. Before that motion is put, I want to repeat what I stated a few moments ago, and I hope Senators may be able to understand exactly what I intend in this and the full signification of what the amendment will import, if it should be adopted. If the motion to insist is defeated and the question then will be upon concurring in the House joint resolution, I will offer the following amendment:

But Congress may make such regulations in any State whenever the legislature thereof shall neglect, refuse, or, from any circumstance, shall be incapable of doing so, and Congress may limit expenditures and require publicity in connection with the nomination and election of Senators.

I do not intend, Mr. President, to consume the time of the Senate. I have already addressed it several times upon this subject. I want to call attention simply to two things. The first part of the proposed amendment which I have read and which I now read again is as follows:

But Congress may make such regulations in any State whenever the legislature thereof shall neglect, refuse, or, from any circumstance, shall be incapable of doing so.

That sentence is copied almost verbatim from the resolution of the convention of the State of New York at the time it gave its assent to the Constitution.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. BACON. Certainly.

Mr. SUTHERLAND. Will the Senator read that last sentence again? I did not quite catch it.

Mr. BACON. I will if the Senator will allow me to finish the sentence.

Mr. SUTHERLAND. Very well.

Mr. BACON. And the delegates from the State of New York were instructed to endeavor to have that incorporated at the earliest possible moment in the Constitution of the United States.

I will now comply with the request of the Senator from Utah. The amendment I intend to propose is to follow the resolution as it came from the Judiciary Committee, and is as follows:

But Congress may make such regulations in any State whenever the legislature thereof shall neglect, refuse, or, from any circumstance, shall be incapable of doing so—

And then the additional sentence is added—

and Congress may limit expenditures and require publicity in connection with the nomination and election of Senators.

I simply read that, Mr. President, for the purpose of giving notice that if the Senate should not insist upon its amendment and the question should then recur upon concurring in the House joint resolution I would offer that as an amendment thereto.

Mr. RAYNER. Does the Senator think that that would make valid the publicity bill which we have already passed?

Mr. BACON. I think the publicity bill we have passed is already valid, but it would put the joint resolution in such form that the adoption of the joint resolution as it came from the House would not free senatorial elections in the States from the effect of that publicity legislation. That is the purpose of it.

Mr. RAYNER. Mr. President, the publicity bill is undoubtedly valid; but, as the Senator admits, if the original joint resolution were adopted we would have no right to pass a

publicity law affecting senatorial elections. My point is whether the provision of the proposed amendment would be retroactive, or whether we would have to pass another publicity bill if that amendment was adopted.

Mr. BACON. Mr. President, this simply empowers Congress to do this thing. The objection has been raised—it was raised this morning by the Senator from Wyoming, and I think the objection is well based—that if Congress were to adopt the resolution as it came from the House and as it came from the Judiciary Committee, Congress would not have the right, or it might be claimed that it would not have the right, to require publicity of expenditures in senatorial elections; and the object is to put that matter beyond any possibility of doubt and to confer on Congress full power to legislate in regard to the publicity of all matters concerning the election of Senators, if the resolution as it came from the House should be adopted.

Mr. SUTHERLAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Utah?

Mr. BACON. I do.

Mr. SUTHERLAND. If the amendment suggested by the Senator from Georgia should become a part of the Constitution, would it not be clear that Congress would be limited in its legislation to the occasions enumerated in the Senator's amendment? In other words, Congress would not be able to legislate with reference to the elections of Senators in the States in any other particular, except as specified in the Senator's amendment. Is not that true?

Mr. BACON. There is, as the Senator well knows, in the section of the Constitution at present power, and in the proposed amendment still further power is given to Congress, the same as it now has. Otherwise, if the Senator means to ask me—I suppose it is better to put it into plain language—whether under this phraseology, if it should be adopted, Congress would have the power to legislate as to the manner in which the elections should be conducted, whether they should be allowed to have supervisors at the polls, whether they should be allowed to have marshals at the polls, whether Congress could send soldiers to the polls for the purposes of seeing to the election, I will say undoubtedly this would prevent any such action on the part of Congress. Is that what the Senator had in view?

Mr. SUTHERLAND. No; I did not have that particular thought in mind at all. But if that would be excluded, of course everything else would be excluded except the particular thing specified in the Senator's amendment.

Mr. BACON. I have suggested the other things which occurred to me that Congress might legislate about. Will the Senator now indicate the things in his mind?

Mr. SUTHERLAND. I can not foresee what occasions may arise in the future which will call upon Congress for the exercise of this power, but I imagine that it would prevent Congress from fixing, as it has done by a law now in operation, a uniform time for holding the election. It would prevent Congress from providing for the Australian ballot, as it has done. It would prevent Congress from providing for election machines at elections. It might prevent Congress from doing a very great variety of things that the future will disclose to be absolutely necessary.

Mr. BACON. Will the Senator be a little more specific?

Mr. SUTHERLAND. I have stated three specific things.

Mr. BACON. My attention was diverted for the moment. I will ask the Senator to excuse me and repeat them.

Mr. SUTHERLAND. I stated to the Senator, for example, that it would prevent Congress from by law fixing a uniform time for holding the elections. As the Senator knows, prior to the statute having been adopted elections were held in the various States at different times, some of them in August, some of them in October, some of them in November, and some of them in the early spring months. It was only by virtue of the power which the Senator now seeks to strike down that Congress fixed a uniform date.

Mr. BACON. Congress does not fix a uniform date for the election of Senators now.

Mr. SUTHERLAND. But when we provide for the election of Senators by vote of the people it would be quite as necessary to fix a uniform date as it is to fix a uniform date for the election of Members of the House. The Senator's amendment would prevent our doing that. That is the complaint I am making.

Mr. BACON. Well, if that is the only objection of the Senator—

Mr. SUTHERLAND. I spoke of another, namely, the power of Congress to fix the Australian ballot for use in the various States.

Mr. BACON. I am very frank to say that I would not be willing that Congress should have that power.

Mr. SUTHERLAND. Congress has already exercised the power and provided that all ballots shall be in writing.

Mr. BACON. But that is not the Australian ballot.

Mr. SUTHERLAND. No; but I say we might desire to do that.

Mr. BACON. I should certainly object to Congress controlling the State to any such extent as that.

Mr. SUTHERLAND. What I object to, if the Senator will permit me, is that we are undertaking to tie the hands of Congress for the future. No matter how necessary it may be, we will be wholly unable to do any thing except those particular things specified in the Senator's amendment.

Mr. BACON. I do not feel any disposition to go into a general debate on this subject. I could not do so without very largely repeating what I have more than once said in the Senate, which I have no desire to consume the time of the Senate in doing. The election of Senators now, while it is under the general language of section 4, is one in which practically the States control all the details, except that Congress prescribes the days upon which the legislature, after it has assembled, shall proceed to vote and how the vote shall be counted. But certainly there is nothing in the law now, although the language is applicable both to the election of Senators and the election of Representatives, which gives Congress any of the powers over the election of Senators which it would have if there were the same provision with reference to the election of Senators as there is with reference to the election of Members of the House. In other words, it is an impossibility that Congress shall provide for supervision over the election of Senators through the machinery of the district courts of the United States. It is an impossibility, unless you absolutely destroy the dual system of government we have, that the district courts of the United States should be empowered to appoint marshals to sit in a legislature and supervise the manner in which Senators shall be elected. It is an utter impossibility, without destroying our system of government, that the district courts of the United States should have the power to provide supervisors to superintend an election by the legislature. It is a matter of utter impossibility, without the destruction of our system of government, for Congress to provide a law under which the soldiers of the United States can appear in a legislature and enforce the order of supervisors in the election by a legislature.

Therefore, however we may mix words or however we may try to think that the same provision in the one case applies in the other, practically they do not. Under the present law the States do have the control of the election of Senators, those who are their own peculiar representatives, and provide that in the selection they shall have the supreme voice.

Mr. President, it is a remarkable fact that in the day when the Constitution was formed, with only 13 little States, without any dominating influence by one over the other, without any sectional questions to divide them, because at that time slavery existed in every State except one, without anything to indicate the great necessity of each State controlling its own affairs as that necessity was afterwards developed in the contentions which arose and which have continued for a century—without any of these things, I say, it is a most remarkable fact that each of the 13 States, with nothing in their past to point to them the future, but the contrary, realized to the utmost degree the importance of self-control in its internal affairs and of its elections by each State, and realized it to a degree, I started to say, infinitely greater than it is realized by the States at the present day.

So it was when the Constitution of the United States, as framed in the convention, was sent to the several States for their ratification, while the States differed, one State objecting in a degree to one provision and another State in a degree to another provision, there was but one question upon which all the States agreed. The record will prove what I am saying, that all the States agreed on this one proposition: That in the election of Senators and of Representatives, while Congress should have the power or did have the power, which is prescribed in the fourth section, it should only be exercised, as was expressed by the convention of New York, when the States themselves might fail to exercise it or when for any reason they were incapable of exercising it.

Without exception, every State the records of which have been preserved or can be found, beginning at New Hampshire and going to the extreme South, embodied in their adoption of the Constitution their demand that if the power of the Federal Government to supervise elections in the States should remain



it should only be exercised, in the language of the convention of New York, whenever the legislature thereof shall neglect, refuse, or from any circumstance shall be incapable of doing so.

Mr. President, the importance of that is many times greater now, with 46 States, than it was in the days of 13 States, because in proportion as the country grows larger in the same proportion are our interests diverse; in the same proportion is it true that what is appropriate for one section is not appropriate for another; and in the same degree there must be the resulting necessity and importance that each State should, as far as possible, control within its own limits and by its own authority the things which relate to its own peculiar affairs. The thing which in that day impressed those 13 States as being the most important of all things relating to the internal affairs of a State was the right to control its elections, and that they should not be controlled by the Federal Government except in a case where the States should neglect or refuse or where they should be in a position that they were incapable of properly discharging that duty.

Mr. President, I did not intend to say this much because, as I have said, I can say nothing but what is a repetition of what I have already said, and what I have said this morning is a repetition of what I have heretofore said. I have endeavored to resist the temptation which I have to go further in the subject, and I do resist it. It is not proper that I should do so under the circumstances.

I simply ask, Mr. President, that the Senate will refuse to insist upon its disagreement, that it will bring the matter again to the attention of the Senate to act upon the joint resolution as it comes from the House and as it has been reported to this body by the Judiciary Committee, and that when that is done I may have the opportunity, which of course I will have, of presenting this amendment, which will preserve two things. It will preserve the right of the Federal Government to regulate the manner of these elections in every case where the State should itself refuse or neglect to do so, or where it shall be incapable of doing so, and the second thing which will be accomplished by the amendment will be to give the Congress of the United States the full and unrestricted power to legislate as to all matters which are necessary to limit expenses and secure publicity in all proceedings relating to the election of Senators.

Mr. GRONNA. Mr. President, when this measure was before the Senate on a former day it was with some reluctance that I voted for the House provision. I did not vote for it because I preferred to have the provision of section 4, Article I, of the Constitution stricken out—that is, that Congress should have supervisory power as to the manner and the time of choosing Senators—but it was in the hope that the joint resolution would be amended and would be agreed to in conference. In my anxiety to see the Constitution so amended as to give to the people the right to choose their Senators by a popular vote I voted for it.

I find, however, that the conference committee has failed to agree. But they have agreed to disagree. I said to Senators on this floor that I preferred to vote for the resolution in the form that it was presented by the Senator from Utah [Mr. SUTHERLAND] or the Senator from Kansas [Mr. BRISTOW]. Now, since the conference committee has failed to agree I shall vote for the resolution as it has been presented by the Senator from Kansas.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming [Mr. CLARK] that the Senate insist upon its amendment.

Mr. CLARKE of Arkansas. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. LIPPITT (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. LEA]. I transfer that pair to the junior Senator from Illinois [Mr. LORIMER], and vote. I vote "yea." I make this announcement for the day.

Mr. NIXON (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. SWANSON], and therefore withhold my vote.

Mr. OVERMAN (when his name was called). I have a pair with the senior Senator from Iowa [Mr. CUMMINS], who is absent to-day on account of public business. If he were here, he would vote "yea." I transfer my pair to the senior Senator from Virginia [Mr. MARTIN], and vote. I vote "nay."

Mr. GORE (when Mr. OWEN's name was called). I desire to announce that my colleague [Mr. OWEN] is paired with the senior Senator from South Dakota [Mr. GAMBLE]. If my colleague were present, he would vote "nay."

Mr. JONES (when Mr. POINDEXTER's name was called). My colleague [Mr. POINDEXTER] is absent. I think, from the city. I do not know how he would vote on this question, if present.

Mr. REED (after having voted in the negative). Mr. President, I voted inadvertently. The Senator from Michigan [Mr. SMITH] is serving on the investigation of the *Titanic* disaster. I therefore agreed with him that I would pair on this vote. If he were present, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. SIMMONS (when his name was called). I am paired with the junior Senator from Minnesota [Mr. CLAPP]. I do not know how he would vote. If he were present and I were at liberty to vote, I would vote "nay."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire again to state that the senior Senator from Michigan [Mr. SMITH] is unavoidably absent. If he were present, he would vote "yea." He is paired with the junior Senator from Missouri [Mr. REED].

The roll call was concluded.

Mr. BANKHEAD. I desire to inquire if the senior Senator from Idaho [Mr. HEYBURN] has voted.

The VICE PRESIDENT. He has voted.

Mr. BANKHEAD. I vote "nay."

Mr. HEYBURN. I will state, in order that there may be no misunderstanding, that I observed the Senator from Alabama in the Chamber and therefore I voted, assuming that he would vote.

Mr. CRAWFORD. I desire to state that my colleague [Mr. GAMBLE] is necessarily absent, and is paired with the Senator from Oklahoma [Mr. OWEN]. I am informed that if my colleague were present he would vote "yea."

Mr. JOHNSTON of Alabama. I desire to state that the junior Senator from Texas [Mr. BAILEY] is paired with the Senator from Montana [Mr. DIXON]. If the Senator from Texas were present, he would vote "nay."

Mr. BRISTOW. I desire to state that the junior Senator from Iowa [Mr. KENYON] is unavoidably absent. If he were here, he would vote "yea."

Mr. SIMMONS. I should have stated a few moments ago that while I do not know how the Senator from Minnesota [Mr. CLAPP] would vote if he were present, I am advised that he would probably vote "yea."

The result was announced—yeas 42, nays 36, as follows:

#### YEAS—42.

Bourne	Crane	Jones	Root
Bradley	Crawford	Lippitt	Sanders
Brandegee	Cullom	Lodge	Smoot
Briggs	Curtis	McCumber	Stephenson
Bristow	Dillingham	McLean	Sutherland
Brown	du Pont	Nelson	Townsend
Burnham	Fall	Oliver	Warren
Burton	Gallinger	Page	Wetmore
Catron	Gronna	Penrose	Works
Clark, Wyo.	Guggenheim	Perkins	
Clarke, Ark.	Heyburn	Richardson	

#### NAYS—36.

Ashurst	Fletcher	Myers	Smith, Ariz.
Bacon	Foster	Newlands	Smith, Ga.
Bankhead	Gardner	O'Gorman	Smith, Md.
Borah	Gore	Overman	Smith, S. C.
Bryan	Hitchcock	Paynter	Stone
Chamberlain	Johnson, Me.	Percy	Thornton
Chilton	Johnston, Ala.	Pomerene	Tillman
Culberson	Kern	Ravner	Watson
Davis	Martine, N. J.	Shively	Williams

#### NOT VOTING—17.

Bailey	Kenyon	Nixon	Smith, Mich.
Clapp	La Follette	Owen	Swanson
Cummins	Lea	Poindexter	
Dixon	Lorimer	Reed	
Gamble	Martin, Va.	Simmons	

So the motion of Mr. CLARK of Wyoming that the Senate insist on its amendment was agreed to.

#### LOANS IN THE DISTRICT OF COLUMBIA.

The VICE PRESIDENT. The calendar is in order under Rule VIII.

Mr. CURTIS. I move that the Senate proceed to the consideration of the bill (H. R. 8768) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real-estate brokers in the District of Columbia.

Mr. BORAH. Is the bill on the calendar under Rule VIII?

Mr. CURTIS. It is; and I gave notice that I would call it up to-day.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kansas.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

Mr. CURTIS. I ask that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be considered first.

The VICE PRESIDENT. Without objection, that order will be followed. The Chair hears no objection. The Secretary will read the bill for action on the amendments of the committee.

The Secretary proceeded to read the bill.

The first amendment was, in section 1, page 2, line 23, after the words "District of Columbia," to insert the following proviso:

*Provided*, That nothing herein shall be construed so as to prevent any individual from loaning the money of such individual at a rate of interest not to exceed 10 per cent per annum, and no such person shall be required to obtain a license for engaging in such business.

The amendment was agreed to.

The next amendment was, in section 3, page 5, after the word "thereon," in line 5, to insert:

Said bond shall be renewed and refilled annually in October of each year, or the licensed person, firm, voluntary association, joint-stock company, incorporated society, or corporation shall, within 30 days thereafter, cease doing business, and their license shall be revoked by the said commissioners, but said bond, until renewed and refilled as aforesaid, shall be and remain in full force and effect.

The amendment was agreed to.

The next amendment was, in section 4, page 6, after the words "called for," in line 8, to insert "said statement or report to be published in at least one newspaper of general circulation in the District of Columbia, in such manner as may be directed by the said commissioners," so as to read:

Every such person, firm, voluntary association, joint-stock company, incorporated society, or corporation conducting such business shall, on or before the 20th day of January of each year, make to the said commissioners an annual statement in the form of a trial balance of its books on the 31st day of December in each year, specifying the different kinds of its liabilities and the different kinds of its assets, stating the amount of each, together with such other information as may be called for, said statement or report to be published in at least one newspaper of general circulation in the District of Columbia, in such manner as may be directed by the said commissioners.

The amendment was agreed to.

The next amendment was, at the end of section 5, on page 7, line 4, to insert:

No such loan greater than \$100 shall be made to any one person: *Provided*, That any person contracting, directly or indirectly, for or receiving a greater rate of interest than that fixed in this act, shall forfeit all interest so contracted for or received; and in addition thereto shall forfeit to the borrower a sum of money, to be deducted from the amount due for principal, equal to one-fourth of the principal sum: *And provided further*, That any person in the employ of the Government violating any of the provisions of this act shall forfeit his office or position, and be removed from the same.

Mr. HEYBURN. Mr. President, that seems to be a new provision since we last had this matter up for consideration.

Mr. CURTIS. No, Mr. President; the Senator is mistaken. That is exactly the Senate provision that was agreed to when the bill was heretofore passed. The Senate Committee on the District of Columbia, in considering this House bill, put in the Senate amendment, this one, and also the amendment on page 2, I think, in which the Senator was interested, or the amendment before that, allowing individuals to make loans.

Mr. HEYBURN. Mr. President, my recollection is distinct in regard to the first amendment referred to by the Senator from Kansas. I believe I offered an amendment covering that subject, and I have no recollection of the amendment on page 7, commencing with line 5. I think probably, while of course the Senator states that matter was considered by the Senate—

Mr. CURTIS. It was. I took it from the bill as it passed the Senate.

Mr. HEYBURN. I was probably not present in the Chamber when it was considered. There is a limitation of \$100. I would be led to inquire where a man would go to get \$200. There is no provision in the bill under which a man could borrow \$200.

Mr. CURTIS. I will say very frankly to the Senator from Idaho, in view of the small interest provided for—1 per cent—that I should have no objection to making the limitation \$200. The other limit of \$100 was placed in the bill because of the high rate of interest that was permitted at the time.

Mr. HEYBURN. I move to amend the amendment by striking out, in line 5, page 7, the word "one," before the word "hundred," and inserting in lieu thereof the word "two," so as to read "two hundred dollars."

Mr. CURTIS. I have no objection to that, Mr. President.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to.

Mr. HEYBURN. In another part of this same amendment, I desire to direct the attention to the proviso in lines 12, 13, 14, and 15. I would ask the Senator from Kansas whether that is as it was in the bill which passed the Senate?

Mr. CURTIS. It is exactly in the same language.

Mr. HEYBURN. It reads:

That any person in the employ of the Government violating any of the provisions of this act shall forfeit his office or position and be removed from the same.

There is no provision as to how the employee shall be removed from his office, and I felt the same doubt as to whether or not the committee had overlooked that fact. The mere declaration by Congress that a man in the executive department shall forfeit his office for doing a thing, without investigation or trial, and no method being provided for the manner of determining whether or not he shall forfeit his office, seems to me to be quite deficient. I would not know how to execute that provision of this bill, because we can not create a quasi judicial tribunal that would be authorized to determine whether a man has forfeited his office or not, and I can not think it possible that that had passed the Senate in that shape. I would inquire of the Senator whether he thinks that provision is sufficient?

Mr. CURTIS. I think it would be notice to the chief or Secretary under whose authority the party might be working to carry out the direction, if it was found that the party had been loaning money in violation of this act.

Mr. HEYBURN. Well, that would be merely the officer discharging the man and not Congress.

Mr. CURTIS. It was not the intention of Congress to hold an investigation, but it was simply a declaration of the office being forfeited by a violation of the act, which was to be carried out, of course, by the superior officer of the subordinate.

Mr. HEYBURN. But there is no provision here as to the manner of ascertaining whether a Government employee has made himself amenable to this law.

Mr. CURTIS. All the departments have the right to investigate and inquire into loans made by the employees. They have already done so in the Pension Office, the Bureau of Engraving and Printing, and, as I understand, in the Printing Office, and some employees were dismissed. Some of them had their salaries reduced. The Senator from Idaho will no doubt remember that there has been a great abuse of this right to loan money practiced by some of the people in the departments in this city, though it has been carried on as a regular business.

Mr. HEYBURN. Mr. President, I do recall the statements and doubtless other statements in regard to that. Since this matter was before the Senate, men who were supposed to be the subjects of this legislation have spoken to me, and in more than one case they have recited conditions where to deprive them of the right to anticipate their salary would leave them in great distress. One in particular cited me the case of an accident, in which a member of his family was injured, an amputation was necessary, and a long and expensive hospital service, and he said to me that except for the fact that he was able to anticipate his salary for several months he would have been utterly destitute and unable to afford assistance to his family. I have had men from time to time stop and talk to me about it or drop in to talk to me about it. There are two sides to the question, which is quite a serious one. You place a limitation of \$200. You can not, as a rule, get a surgeon to perform an operation for that sum—I mean to amputate a limb or to do other things that might be necessary—and you leave a man in a very bad position. I had cause to inquire within a few hours as to the probable cost of some of these things in anticipation of this provision in the bill. I think the committee should have considered that matter more carefully.

Mr. CURTIS. I will say to the Senator that the committee did give the provision very careful consideration. It was recommended to the Senate in the original Senate bill, and when the House bill came back, the Senate committee, if I may state what the committee did, were unanimously in favor of restoring this provision. It was restored after considerable debate in the committee as to the various kinds of loans, the business these people were conducting, and the fact that some of those employed in the Government departments were taking advantage of their knowledge of the condition of their neighbors and loaning money in violation of the law.

Mr. HEYBURN. I thought that the moving cause, out of which this legislation grew, was on the other side of the scale.

Mr. CURTIS. I think that is true.

Mr. HEYBURN. It was originally aimed at those who have been denominated as "loan sharks"—

Mr. CURTIS. That is true.

Mr. HEYBURN. Without giving as much consideration, perhaps, as should have been given to those who are compelled to



borrow money in a market or a class of markets peculiarly adapted to their wants. Many people can not go to a bank and get money under any circumstances; they have no collateral that the banks are authorized to receive.

While the Senator in charge of the bill has consented to raise to \$200 the amount which may be loaned to one person, that is a very meager amount in the case of an accident—a very small amount—and in the meantime the family must go on living while this additional expense is being incurred. No matter what he might be charged for the money, the necessity for having it is so great and the suffering incident to not having it is so great that that side of the question ought to receive special consideration.

I have not been friendly to this legislation from the beginning.

Mr. CURTIS. I have found that out before.

Mr. HEYBURN. I am neither a borrower nor a lender. I look at it purely from the humanitarian standpoint. The right to borrow money is as sacred to a man as any other property right that he has under our form of Government. This provision is intended to strike at Government employees. It is rather a severe charge to make, that they are not capable of protecting themselves in the ordinary transactions of life. If it is true, perhaps we had better submit them again to a civil-service examination.

Mr. CURTIS. Mr. President, I think the Senator misconstrues the language. It is only to apply to Government employees who loan money in violation of the provisions of the bill.

Mr. HEYBURN. Well, the general provisions of the bill would apply to Government employees, whether they loan money or not. I was present when at least a part of the discussion took place heretofore, and it was told in vivid terms how Government employees anticipated their salary in this way and were induced to do so by men who profited by it. We ought not to have many people in the public service who do not have business ability enough to protect themselves, for they are presumed to have passed a civil-service examination, after which no charge can be made against their capacity. That gives them a clean bill of health. Of course it is a fraud; it was conceived in fraud and has been worked out in iniquity. The right to be a serving citizen of this Government has been limited to a few. I am not going to enter at length into that question, but it has been, perhaps, the greatest fraud that has been perpetrated upon the American citizen. There is an in-born right in every child born in this country to become a participant in the Government as well as a beneficiary under it.

Mr. President, there is no hope at this time of doing more than to point out these things, but it is profitable sometimes to point out mistakes that are being made or have been made, in order that the people may think about them and avoid them in the future. I do not believe the charge can be proved that so large a proportion of the Government employees are weak and helpless and in the hands of these money charmers as to make it necessary to legislate against their natural right to engage in a business transaction. I suppose some of these money lenders are very decent men and have some of the spirit of humanity in them; and perhaps others—no proof has been introduced to that effect—but perhaps others are heartless and unkind and crush people because of their necessities.

The bill is too general in its terms. Then, again, it creates a monopoly in the business of loaning money in those who have better opportunities, perhaps; it gives a monopoly in loaning money to the banks, that do not pay the license proposed by this bill. The bill did contain a provision that would have prevented a person from loaning his own money, but it has been amended in that respect so far as to allow a person to loan his own money. Whether he could loan the money of a brother or sister or parent, however, is a question.

Mr. CURTIS. Mr. President, it was not the intention of the committee, I hope the Senator will permit me to say, to exclude any person from loaning his or her own money. It never was the intention of the committee to prohibit the loaning of money by individuals. It is true that the bill as originally reported contained such a provision, but the Senator pointed out that defect and it gave the committee pleasure to have it corrected.

Mr. HEYBURN. Yes; I understand that. Now, as the bill has been amended, the question arises, Could a trustee for minor children loan the money of the minor children? It would not seem so from reading the amendment. Can any person standing in such relation to others loan their money without taking out a license? If not, then he will have to hire a bank to do it.

Mr. CURTIS. The committee took the position that any person who was not engaged in the regular business of loaning money—that is, who did not depend upon it wholly—did not

come within the provisions of this act. It was only to apply to those engaged in the business.

Mr. HEYBURN. Yes; I understand that, and I am not attacking the motives of the committee; but I want the bill to go out properly vouched for. I want the record that accompanies it to be such a one as can be referred to at any time for the purpose of determining the will of the legislators. That is quite important in measures of this kind. It is unusual legislation. I recall no other instance in the history of our country where such a thing has been attempted, either by the General Government or by any of the lesser governments. I have given attention to the pawnbrokers' laws in various parts of the United States. I find none that goes as far as this measure goes. This great Government of the United States is reaching out a protecting hand to prevent its own employees, or those dependent upon the employees, from being imposed upon.

This bill does not sufficiently cover people who sell furniture on installments, a business which perhaps creates more distress than any other transactions among people of very limited means. If I am mistaken in that I ask the Senator now to correct me, because I have gone through it hastily to-day, carrying forward my recollection of its provisions on former occasions.

There is still another thing. The business of men who go into the houses of other people and solicit the opportunity of loaning money upon the furniture which is necessary for the comfort, aye, for the very existence of a household, is not properly taken care of.

Mr. CURTIS. Mr. President, there is a separate act of Congress applying to that class. It was approved March 3, 1891. When this measure was under consideration on a previous occasion all manner of questions were asked with reference to the working of that law as well as the pawnbrokers' law. No objection, however, was raised to the working of the act of 1891 relative to second-hand dealers and people engaged in similar business.

Mr. HEYBURN. I was calling attention to it more for the purpose of pointing out the laxity of those laws as compared with this bill, or the failure of this bill to coordinate with the pawnbrokers' and other laws.

We are in danger sometimes of becoming too sentimental in regard to these questions. I remember when the newspapers first took this matter up. It was set forth that some person at that time had been badly treated by reason of having to pay two or three times the principal of the loan and still owed more than the original loan. It was all figured out.

Of course, I would strike as hard at any abuse of that kind as any Member of this body. I would not for a moment defend such a procedure. I would make it so impossible under the law that they would lose the principal and perhaps suffer further punishment, because under the law of human kind no person should be allowed to perpetrate that kind of injustice. But we are dealing now with this bill, and I feel justified in taking the time of the Senate to call attention to these questions in order that should they be raised hereafter it can not be said that the attention of the Senate was not directed to them.

I do not think the provision in regard to Government employees should be in the bill, because I think that it is an express slander upon a class of citizens that ought to command the respect of the people. Suppose we were to assume that Government clerks were bad mannered and pass a law providing that they should not conduct themselves in a certain way upon the public streets, as other people are permitted to conduct themselves. That would be an imputation against them that ought not to be expressed in legislation. So I think that whole paragraph in reference to Government employees should be stricken out. Why not include chauffeurs? Why not say that coachmen should also be included? Why not say the employees of Senators should not have this privilege? Why just confine it to Government employees? Are they a class of people less to be trusted than others? It occurs to me that that provision ought to be stricken out. I think I have expressed my objection to it.

I will move to strike out, after the word "sum," in line 12, the proviso down to and including line 15, and allow the Government employees to be presumably as respectable and as intelligent as anybody else.

Mr. CURTIS. I hope, Mr. President, that that amendment will not be agreed to; but if the Senator has any doubt about this provision applying only to the Government employees loaning money, I would, with the consent of the Senate, of course, be willing to consent to an amendment striking out, after the word "Government," the words "violating any of" and inserting in lieu thereof the words "who shall loan money in violation of."

Mr. HEYBURN. I will agree to that, because I do not think that a Government employee should be permitted to do the very things I have been speaking against; but this provision reads, "violating any of the provisions of this act." That applies to the whole act; it applies to the borrower, the lender, and everybody else.

Mr. CURTIS. If the Senator will withdraw his amendment—

Mr. HEYBURN. I will withdraw my amendment for the purpose of permitting the Senator from Kansas to offer an amendment.

The VICE PRESIDENT. The Senator from Idaho withdraws the amendment he offered a moment ago.

Mr. CURTIS. I move to strike out, in line 13, after the word "Government," the words "violating any of" and to insert in lieu thereof "who shall loan money in violation of."

Mr. HEYBURN. That is certainly an improvement.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 7, line 13, strike out the words "violating any of" and insert in lieu thereof the words "who shall loan money in violation of," so as to read:

That any person in the employ of the Government who shall loan money in violation of the provisions of this act shall forfeit his office or position and be removed from the same.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was to strike out section 7, as follows:

Sec. 7. Whoever violates any of the provisions of this act shall be punished by a forfeiture of all unpaid interest and by a fine of not more than \$200, or by imprisonment in the jail or the workhouse of the District of Columbia for not more than 30 days, or by both such fine and imprisonment, in the discretion of the court, and a second or any subsequent violation of this act shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the jail or workhouse of the District of Columbia for not less than 60 days nor more than six months, or by both such fine and imprisonment, in the discretion of the court. The said commissioners shall cause the corporation counsel to institute proceedings for the enforcement of this act before any court of competent jurisdiction.

The amendment was agreed to.

The next amendment was to strike out section 8, as follows:

Sec. 8. That in any foreclosure on any loan made under this act no charges of attorneys' or agents' fees shall be made or collected which will exceed 10 per cent of the amount found due in such foreclosure proceedings.

The amendment was agreed to.

The next amendment was to strike out section 9, as follows:

Sec. 9. That in any contract made in pursuance of the provisions of this act it shall be unlawful to incorporate any provision for liquidated or other damages as a penalty for any default or forfeiture thereunder.

The amendment was agreed to.

The next amendment was to strike out section 10, as follows:

Sec. 10. That nothing contained in this act shall be held to apply to the legitimate business of national banks, licensed bankers, trust companies, savings banks, building and loan associations, or real estate brokers, as defined in the act of Congress of July 1, 1902.

The amendment was agreed to.

The next amendment was to add a new section as section 7, as follows:

Sec. 7. That any violation of this act shall be punished by a fine of not less than \$25 and not greater than \$200, or by imprisonment in the jail or the workhouse of the District of Columbia for not less than 5 nor more than 30 days, or by both such fine and imprisonment, in the discretion of the court. The said commissioners shall cause the corporation counsel to institute criminal proceedings for the enforcement of this act before any court of competent jurisdiction.

The amendment was agreed to.

The next amendment was to add a new section as section 8, as follows:

Sec. 8. That nothing contained in this act shall be held to apply to the legitimate business of national banks, licensed bankers, trust companies, savings banks, building and loan associations, or to the business of pawnbrokers, or real-estate brokers, as defined in the act of Congress of July 1, 1902.

Mr. HEYBURN. Mr. President, I am still of the opinion that that section should be stricken out. It is such a discrimination in favor of one class of business men and against another as is repugnant to my sense of justice. If we prevented those dealt with in the previous section from doing business, then it would not be open to the objection I urge; but we permit them to do business, only controlling or regulating it. Their business, when transacted within the provisions of this statute, is as legitimate a business as that of those mentioned in section 8.

Mr. CURTIS. But there are separate acts of Congress applying to those other businesses, and there has been absolutely no complaint made to the committee. In fact, officers of the city government and business men's committees who have investi-

gated this matter say that, in their judgment, it would be very unwise to change the present laws applying to these other people, and for that reason—

Mr. HEYBURN. I do not know what would be the judgment of men who are interested in it; neither do I feel called upon to consider what their judgment might be in regard to it.

Mr. CURTIS. May I interrupt the Senator?

Mr. HEYBURN. Certainly.

Mr. CURTIS. I did not say the men interested in the matter. I said officials of the city government and members of business men's committees. Some of them have talked with me; men who have volunteered their services to help these people out, and who are not interested in any loan companies of any kind or character, but who as citizens of the District of Columbia wish to help the poorer classes of people, and who have therefore taken an interest in this matter.

I was told several days ago that a committee of 100 of the business men of this city was appointed some 10 or 12 years ago to look into these questions, and they in turn appointed a committee of 10. The gentleman who talked to me was a member of that committee of 10, and he is a man not engaged in any business that would be at all interested in this bill or any of the other bills.

Mr. HEYBURN. Under the constitution of any State, where my attention has been called to their constitutions, such a provision would be held void without any doubt by any court. We should be governed somewhat by the recognized principles of justice, even though there happens to be no power above us in regard to legislating for the District of Columbia. We put the administration of this law in the hands of laymen, the commissioners. And we say to the first class of people, "Your business is legitimate; you have a perfect right to do it. We will charge you a license for doing it." That recognizes and confirms the legitimacy of the business.

Whenever the public or the government—whatever government it may be—accepts a license from parties to transact business, they can not controvert the validity of the business for which the license is granted. That is a rule of general application. They determine that when they grant the license. Having granted the license, the State is not at liberty to say, "Your business is an illegitimate one."

The same is true here. The Government is proposing to grant a license to these men to do business, but we will make two laws. We will make one law governing the banks and trust companies, and so on, and we will make another law governing you, because you, perhaps, do not pay so much rent—is it?—or do not have so much invested in buildings. It does not appeal to me.

Mr. GALLINGER. Mr. President, might it not be thought a sufficient reason that the national banks, trust companies, and other organizations named are taxed quite heavily in the District of Columbia? They pay a tax to the Government.

Mr. HEYBURN. They do not pay any such tax as this.

Mr. GALLINGER. They pay a larger tax. They pay a tax of 6 per cent on their business.

Mr. HEYBURN. Yes; but then there is a tax here—a man might loan \$1,000, and he would pay a tax of \$500 for loaning \$1,000.

Mr. GALLINGER. He might loan \$1,000 or he might loan \$50,000. He is not limited to \$1,000. He may loan \$100,000.

Mr. HEYBURN. The tax on that would be 10 per cent. I would not put it on that basis. I would deal with this question just as though we had no more license here in legislating than we would have in a State. There is no State in which such a law as this would be valid. Whether or not we are bound by the restrictions in a State should not influence us, if the moral principle is right.

Mr. GALLINGER. Is the Senator sure that there are no laws in any of the States along the lines of this proposed legislation?

Mr. HEYBURN. I know of none.

I think the Senator misunderstands me. There are no laws in the United States anywhere that permit a discrimination such as that expressed in section 8, giving to one class of people or one set of people the right to do something that is forbidden to others equally endowed with rights under the Constitution.

Mr. GALLINGER. As I understand this matter, if the Senator will permit me—I may be in error, though I have given some considerable thought to it—the organizations named in section 8 are now governed by separate acts. There is a different law for each one of them. They are on the statute book. The proposition here is that this legislation shall not interfere with the laws that govern those other organizations.



Mr. HEYBURN. But they have laws more favorable for transacting the same business under the same legal right.

Mr. GALLINGER. They are transacting an entirely different class of business. They are not robbing the poor as these loan sharks are, which is an utter abomination as it exists in this city to-day; it is a disgrace.

Mr. HEYBURN. The Senator would not favor charging, for instance, to be personal, the Riggs Bank one license or applying one condition and applying a different one to the Commercial National? The Senator would say that was unfair on the face of it.

Mr. GALLINGER. I would not do that, and the law does not do it.

Mr. HEYBURN. I understand the Senator has just called attention to the fact that it does. In line 13 there is a class of institutions referred to. Those institutions are permitted to engage in the same business on more favorable terms than the institutions which are referred to in section 5.

#### THE METAL SCHEDULE.

The VICE PRESIDENT. Will the Senator from Idaho suspend for a moment? The hour of 4 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 18642) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909.

Mr. SIMMONS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside. Before that request is put I desire to make a brief statement, with the consent of the Senator from Idaho.

The VICE PRESIDENT. Does the Senator from Idaho yield for that purpose?

Mr. HEYBURN. I was unable to hear the Senator.

The VICE PRESIDENT. The Senator from North Carolina asks the Senator from Idaho to yield to him for the purpose of making a statement.

Mr. HEYBURN. Certainly.

Mr. SIMMONS. It is with reference to the unfinished business. I wish to say that the minority members of the Finance Committee think it desirable that the Senate should enter upon the consideration of the bill to revise the metal schedule as soon as practicable, and that when it is taken up for consideration that it should be pressed as far as is consistent with the rules and usual courtesies of the body until the Senate is ready for final action upon it.

It was my expectation to ask the Senate to begin consideration of the bill on Friday next, but the Senator from Iowa [Mr. CUMMINS], who, I understand, intended to present a substitute for the pending measure, is absent from the city, and will not return before Friday, so that his proposed substitute will not be introduced earlier than that day.

After conference with a number of Senators on both sides of the Chamber, I find a general desire that the Senate should have before it the proposed bill of the Senator from Iowa when the debate begins, so that the two bills may be discussed together. In order that that course may be pursued, it is thought expedient to postpone consideration of the bill until Monday.

On Monday it is my purpose to ask the Senate to take up the bill and to keep the measure as far as may be before the Senate until there is a vote. With this object in view, I hope Senators who expect to participate in the debate will endeavor to be ready to go on with the debate after this week.

Mr. PENROSE. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. SIMMONS. Certainly.

Mr. PENROSE. I have just entered the Chamber. Will the Senator from North Carolina kindly advise me as to his proposition?

Mr. SIMMONS. I stated, Mr. President, in the absence of the Senator, that on Monday next we on this side of the Chamber hope to be able to take up the bill for consideration and to keep it continuously before the Senate until we are ready to vote on it.

I stated I would prefer the bill should be taken up this week, but the Senator from Iowa [Mr. CUMMINS], who is expecting to offer a bill covering the same subject as a substitute, was absent from the city and would not be back before Friday, and that as many Senators seemed to desire that both bills should be before the Senate when the debate begins I would not ask for consideration of the bill before Monday next.

Mr. PENROSE. In that case, when does the Senator from North Carolina desire to bring the bill up?

Mr. SIMMONS. On Monday next.

Mr. PENROSE. On Monday of next week?

Mr. SIMMONS. Yes; that is what I said.

Mr. PENROSE. I desire to cooperate in every way to expedite these bills and all other bills pending before the Senate. As far as I know, it will be satisfactory to the other members of the Finance Committee.

Mr. SMOOT. Mr. President, I take it for granted the Senator would not insist upon any discussion of this bill until the amendment that is to be offered by the Senator from Iowa is before the Senate.

Mr. SIMMONS. That is what I have said, provided—

Mr. SMOOT. If the amendment is not offered by that time, of course I understand the Senator to agree that it would not be proper to discuss the bill until it is offered.

Mr. SIMMONS. I would not feel that I could go quite that far. I hope the Senator from Iowa will offer his bill this week or early next week. But if he should not offer it by Monday or Tuesday of next week, I would not feel that we should wait longer. I think from his conversation with me before leaving the city that the Senator from Iowa will be ready to offer his bill shortly after his return to the city, probably Saturday or Monday.

Mr. SMOOT. Of course the Senator perhaps knows just when the Senator from Iowa will be prepared and will offer his bill, but as far as I am concerned—

Mr. SIMMONS. I do not know any further than his statement to me.

Mr. SMOOT. I would not want to agree that we should go on and discuss the bill unless the Senate should so order.

The VICE PRESIDENT. The Senator from North Carolina makes no request now except that the unfinished business be temporarily laid aside.

Mr. SMOOT. I came in afterwards. I thought that he had probably made a request.

The VICE PRESIDENT. It was simply that the unfinished business be laid aside.

Mr. PENROSE. I should think it would be a very good thing to have the bill ready on Monday and to have it before the Senate. Then any Senator can address the Senate on the bill at his convenience. As far as I am concerned, whenever I am ready I shall exercise my privilege of addressing the Senate on the metal bill.

Mr. SIMMONS. Of course.

Mr. PENROSE. I do not imagine that we have to take up the bill here and plunge into a discussion in a continuous way.

Mr. SIMMONS. The Senator entirely misunderstood me, Mr. President. I said it was my desire and that of my associates, the minority members of the committee, that the bill should be taken up on Monday and that, if possible, the debate should go on continuously until we were ready to vote. I stated further—probably I made that statement in the absence of the Senator from Pennsylvania—that, in order that Senators on this side of the chamber might be ready, so that there would be no break in the debate, I had requested them to endeavor to be ready to go on with the discussion next week.

Mr. PENROSE. I assume, Mr. President, that the friends of the measure would naturally open the discussion.

Mr. SIMMONS. I expect, Mr. President, when I call up the measure on Monday, to make an opening statement and to some extent discuss the bill.

Mr. PENROSE. As far as I am personally concerned, I would not delay the measure for the purpose of making any remarks myself if the Senate can come to an early vote on the bill. As I am not prepared, I shall not make that a reason for asking for delay. I am advised of only two Senators besides myself on the Republican side who intend to make any remarks on the measure.

Mr. HEYBURN. Mr. President—

Mr. PENROSE. There may be others. I do not say that there are not.

Mr. HEYBURN. I do not think we want to be foreclosed there. I intend—

Mr. McCUMBER. There are several of us who want to be heard.

Mr. HEYBURN. I intend to discuss the measure at length and in detail—

Mr. SMOOT. I expect to discuss it at length.

Mr. HEYBURN. And to take just as much time as it seems proper to take.

The VICE PRESIDENT. Without objection, the unfinished business will be temporarily laid aside.

Mr. SIMMONS. Mr. President, just one word. I assume that every Senator will exercise his right to discuss the bill as long as he desires. So far as I am concerned, I shall not, in

management of the bill, violate any of the courtesies of the Senate. I shall not insist upon a vote as long as there is any Senator who desires to discuss the measure, and will give assurance that he will be ready to do so in a reasonable time. But I do desire, and I think the country desires, that the Senate should proceed to the consideration at the earliest possible day of these tariff measures. I trust that there may be no objection to taking up this bill on Monday and that Senators on both sides will get ready for the discussion, so that final action will not be unnecessarily delayed.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. Certainly.

Mr. McCUMBER. I presume that the bill can be taken up at any time by the vote of a majority of the Senate.

Mr. SIMMONS. Of course.

Mr. McCUMBER. And undoubtedly it will be taken up at a reasonable time. The majority of the Committee on Finance have reported negatively upon the bill. Therefore the affirmative side is with the minority in this case. I can see justification for the Senator's seeking, as an affirmative measure, to have it brought before the Senate as soon as practicable. But the Senator's own argument has indicated something that will probably at any rate prevent an early and proper consideration. A new bill, I understand, is suggested—something that no Member of the Senate yet knows anything about, an entire substitute. The Senator does not expect that that substitute will be presented before next Saturday or next Monday, and immediately, without opportunity—

Mr. SIMMONS. If the Senator will permit me, I think it will be submitted Saturday.

Mr. McCUMBER. But not before then?

Mr. SIMMONS. Not before then.

Mr. McCUMBER. And then, without any opportunity to investigate it by the Finance Committee of the Senate or an opportunity for Senators to investigate it, the Senator indicates that we ought to immediately begin the discussion, which necessarily would be also a discussion of a new bill.

It seems to me that a few days at least ought to elapse after the new bill as a substitute has been submitted as an amendment, in order that Senators may have an opportunity to acquaint themselves with it and to compare its provisions with the present law and ascertain the effect of the several provisions contained in it. For that reason it seems to me the Senator ought not to ask us to agree to go into a consideration of a matter the moment the other proposition is before us.

Mr. SIMMONS. The Senator from Iowa will doubtless wish full time to discuss his bill. I shall expect to make a statement with reference to the House bill. I do not see why it would be necessary to delay those statements. Those statements at least might be made on Monday or Tuesday. That would probably occupy most of the time the two days.

Mr. McCUMBER. There could be no purpose to delay a statement to be made by any Senator.

Mr. SIMMONS. If the committee desires to consider the substitute, but little time would be required for that purpose, I should imagine.

Mr. McCUMBER. But the Senator's suggestion was that we should take it up that day and press it day after day for consideration.

Mr. SIMMONS. I did not mean—

Mr. McCUMBER. I think that would be hurrying too rapidly.

Mr. SIMMONS. I did not mean to unduly press it. I simply meant that I desired, and I thought that was the wish of the minority members of the committee, that once the bill was taken up it should be pressed under the rules, with due reference, of course, to the courtesy that obtains in the Senate. Of course, if Senators are not ready to speak, I would not think about asking for a vote without according them reasonable time.

Mr. McCUMBER. I simply make the suggestion that in all probability a great many who might be ready to discuss the present bill at the present time would scarcely be able to be in position to discuss intelligently a new and a proposed bill immediately after its introduction in the Senate.

Mr. SIMMONS. Then, Mr. President, after the Senator from Iowa has made his speech and I have made my statement, if no one else is ready to speak on this side or that side, the bill can be laid temporarily aside until some Senator is ready. I should like, unless there is serious objection to it, to have the bill taken up on Monday next.

Mr. HEYBURN. Mr. President—

The VICE PRESIDENT. Without objection, the unfinished business is now temporarily laid aside.

Mr. HEYBURN. Just a moment, Mr. President, before it is laid aside.

I do not want Senators to proceed under the assumption that this program so nicely laid out is going to be carried out, because I regard the matter of such importance that I shall feel not only at liberty to resort to whatever parliamentary proceedings may accomplish my purpose, but I should feel that I was lacking in the performance of my duties to allow a measure like this to pass out of this body under the suggestions which have been made that it would be debated by two people, and let it go out to the public it may be debated by two people. My judgment would lead me to believe that it will be debated by a great many of the Republicans and Democrats in this body and will be debated at length, with no leading strings or limit on that debate.

And there will be no unanimous agreement until after it has been debated to the satisfaction of everybody. There will be no time fixed for anything in the matter. Had I my way, if I thought there was a vote not adverse in sight on this matter in this body, it would hardly reach that vote until the weather was cool enough and the grain garnered in the garner and the people had something to feed themselves with during the conditions that would follow this kind of legislation.

The VICE PRESIDENT. Without objection the pending business will be laid aside.

#### LOANS IN THE DISTRICT OF COLUMBIA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8768) to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real-estate brokers in the District of Columbia, the pending question being on the amendment of the Committee on the District of Columbia to insert a new section as section 8.

The VICE PRESIDENT. Without objection the pending amendment is agreed to.

Mr. HEYBURN. I did not intend to do more than suggest an amendment by striking out section 8. But I will not precipitate a debate at this time upon that motion. I have said all I had to say about it.

The amendment was agreed to.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The Secretary read section 9, as follows:

SEC. 9. That the enforcement of this act shall be intrusted to the Commissioners of the District of Columbia, and they are hereby authorized and empowered to make all rules and regulations necessary in their judgment for the conduct of such business and the enforcement of this act in addition hereto and not inconsistent herewith.

Mr. HEYBURN. Mr. President, just a moment there. We are conferring the powers of the police court upon the District of Columbia. Can we do it? Have we power to rest the enforcement of an act that is both civil and criminal or penal in its terms with the District of Columbia? You are only getting into court on a proceedings of certiorari or mandamus or some other proceedings if you undertake that. If the Senator from Kansas was the attorney for some one whose interests were sufficiently great to induce him to resist this kind of legislation, he would raise that question the first minute he was in court.

He would say, "Is this a court or is this an executive body? Has this court the power to sit in judgment upon the reasonableness of conduct of men who are acting under the law, under a license?" and, of course, I presume that the tribunal would say, "Certainly we have all the power." But there are other tribunals.

Mr. CURTIS. Mr. President, if the Senator will yield—

Mr. HEYBURN. I have said all I intended to say.

Mr. CURTIS. I think the Senator misconstrues the act. It simply leaves it in the hands of the commissioners to report when complaint is made and assist parties who might be unable to help themselves.

The reading of the bill was concluded.

The VICE PRESIDENT. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan as-



sociations, pawnbrokers, and real estate brokers in the District of Columbia."

#### HEARINGS BEFORE COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT. I ask unanimous consent for the present consideration of Order of Business 438, authorizing the Committee on Public Lands to employ a stenographer, and so forth.

Mr. McCUMBER. All of which I object to. We have been waiting to reach the calendar. I have a number of pension bills in charge that are nearly two months behind waiting to be reached one after another. I shall not consent to picking out any of the bills now, because day after day we have waited here until we could reach some of these bills until at least 20 men have died whose names were upon the bills. I insist if we go to the calendar that we shall take up and dispose of these bills.

Mr. SMOOT. In justification for my request, I will say that to-morrow morning there is a very important hearing upon land matters in the State of Oregon. The committee has no authority whatever to have its hearings reported. The resolution is simply an authorization to secure a stenographer to report the hearings. There are a number of persons here from Oregon, and the meeting is called for to-morrow. A number will be here from Colorado, and it is simply—

Mr. McCUMBER. If it is nothing more than a mere matter of request for authority to employ a stenographer to take testimony, on which there will be no debate, I will withdraw my objection.

Mr. SMOOT. That is all there is to it.

The VICE PRESIDENT. The Senator from North Dakota withdraws his objection. The Secretary will read the resolution.

The Secretary read Senate resolution 255, which had been reported by Mr. BRIGGS, from the Committee to Audit and Control the Contingent Expenses of the Senate, March 21, 1912, as follows:

*Resolved*, That the Committee on Public Lands, or any subcommittee thereof, be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have printed such hearings and such other papers as may be deemed necessary in connection with subjects heretofore considered or to be considered by said committee during the Sixty-second Congress, and that the expense thereof be paid out of the contingent fund of the Senate, and that the said committee and all subcommittees thereof may sit during the sessions of the Senate.

There being no objection, the resolution was considered by unanimous consent and agreed to.

#### THE CALENDAR.

Mr. CULLOM. I expected to ask the privilege of passing a little bill myself, but, as the Senator from North Dakota wants to take up the pension bills, I will forego the request.

Mr. SMOOT. I move that the Senate proceed to the consideration of bills on the calendar under Rule VIII.

Mr. GALLINGER. I think it ought to be for unobjected cases if we are going to make any progress.

Mr. SMOOT. I will modify the motion so as to make it a request and have it apply to unobjected cases.

The VICE PRESIDENT. Is there objection to the request as modified, to consider unobjected bills on the calendar under Rule VIII? The Chair hears no objection.

Mr. SHIVELY. Under that order it would not be in order to move to take up any bill, notwithstanding an objection?

The VICE PRESIDENT. It would not. The Secretary will state the first bill on the calendar.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as first on the calendar.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was Senate concurrent resolution 4 instructing the Attorney General of the United States to prosecute the Standard Oil Co. and the American Tobacco Co.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2493) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri was announced as next in order on the calendar.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1505) for the relief of certain officers on the retired list of the United States Navy was announced as next in order.

Mr. BRISTOW. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 2151) to authorize the Secretary of the Treasury to use, at his discretion, surplus moneys in the Treasury in the

purchase or redemption of the outstanding interest-bearing obligations of the United States was announced as next in order.

Mr. HEYBURN. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 256) affecting the sale and disposal of public or Indian lands in town sites, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 4762) to amend an act approved February 6, 1905, entitled "An act to amend an act approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an act approved March 8, 1902, entitled 'An act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an act approved March 2, 1903, entitled 'An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes," was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 1337) authorizing the President to nominate and, by and with the advice and consent of the Senate, appoint Lloyd L. R. Krebs, late a captain in the Medical Corps of the United States Army, a major in the Medical Corps on the retired list, and increasing the retired list by one for the purposes of this act was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 459) to adjust and settle the claims of the loyal Shawnee and loyal Absentee Shawnee Tribes of Indians was announced as next in order.

Mr. SMOOT. Let that bill be passed over.

The VICE PRESIDENT. It will be passed over.

The bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, was announced as next in order.

Mr. PAGE. That bill will go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was (S. Res. 231) for the investigation and report by the Secretary of Commerce and Labor regarding certain labor conditions in Lawrence, Mass.

Mr. GALLINGER. Let that go over.

The VICE PRESIDENT. The resolution will go over.

#### PROTECTION OF VALDEZ, ALASKA.

The bill (S. 5272) appropriating \$75,000 for the protection of Valdez, Alaska, from glacial floods was considered as in Committee of the Whole.

The VICE PRESIDENT. The bill has been read in full and the amendments recommended by the Committee on Commerce have been agreed to. If there are no further amendments, as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. SHIVELY. Mr. President, the bill appropriates \$75,000, and I think there had better be a little explanation of it.

Mr. JONES. I understand that the amendment which has been agreed to makes the appropriation \$55,000. There is very imminent danger of the destruction of property there. Considerable of it is Government property; in fact, all the property there belongs to the Government. There are some Government buildings that are threatened by the flood. The Government has a courthouse that has been built out of the fines that have been collected, and there has been a jail erected by the Government. These buildings are threatened to be washed away by the flood. There is also a military reservation that is being threatened by it. I have obtained this account from the War Department.

Mr. SHIVELY. Is the bill recommended by the War Department?

Mr. JONES. It is.

Mr. SHIVELY. I will not object to it. I merely wanted to know the necessity of it.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill appropriating \$55,000 for the protection of public property at Valdez, Alaska, from glacial floods."

## CUSTOMS SERVICE AT LOS ANGELES, CAL.

The bill (S. 3625) for the purchase or construction of a launch for the customs service at and in the vicinity of Los Angeles, Cal., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, to add at the end of the bill: "and this sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to purchase or have constructed for the customs service a suitable launch, of such motive power as may be determined by the Secretary of the Treasury, for the use at and in the vicinity of Los Angeles, Cal., and the cost thereof shall not exceed the sum of \$10,000, and this sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## INSTRUCTION IN FORESTRY.

The bill (S. 5076) to promote instruction in forestry in States and Territories which contain national forests was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

## PRESIDENTIAL PRIMARIES IN THE DISTRICT OF COLUMBIA.

The bill (S. 2234) to provide for a primary nominating election in the District of Columbia, at which the qualified electors of the said District shall have the opportunity to vote for their first and second choice among those aspiring to be candidates of their respective political parties for President and Vice President of the United States, to elect their party delegates to their national conventions, and to elect their national committeemen, was announced as next in order.

Mr. HEYBURN. Let the bill go over.

The VICE PRESIDENT. It will go over.

## LIGHTHOUSE DEPOT AT SAN JUAN, P. R.

The bill (S. 5606) to provide for repairs and improvements at the lighthouse depot and headquarters, San Juan, P. R., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## THE LIFE-SAVING SERVICE.

The bill (S. 2051) to promote the efficiency of the Life-Saving Service was announced as next in order, and the Secretary proceeded to read the bill.

Mr. SHIVELY. I object to that bill, Mr. President. Let it go over.

The VICE PRESIDENT. The bill goes over.

Mr. BURNHAM. I should like to have the reading of the bill concluded, and then allow it to go over.

The VICE PRESIDENT. Does the Senator from Indiana object to the reading of the bill being concluded?

Mr. SHIVELY. I have no objection to the reading of the bill being concluded.

The VICE PRESIDENT. The Secretary will conclude the reading of the bill.

The Secretary resumed and concluded the reading of the bill.

The VICE PRESIDENT. The bill having been read in full it now goes over.

## PUBLIC BUILDING AT KLAMATH FALLS, OREG.

The bill (S. 4985) to provide for the purchase of a site and for the erection of a public building thereon at Klamath Falls, Oreg., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 1, line 10, after the word "hundred" to insert "and twelve," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post office and other Federal offices at Klamath Falls, in the State of Oregon, the cost of same not to exceed \$112,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## BILLS PASSED OVER.

The bill (S. 4476) to provide for the purchase of site, and construction of wharf and buildings, and the necessary equipment for a depot for the sixth lighthouse district was announced as next in order.

Mr. McCUMBER. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (H. R. 17029) authorizing the Secretary of War to convert the regimental Army post at Fort Ogleshorpe into a brigade post was announced as next in order.

Mr. WARREN. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

## ESTATES OF FRANCES M. STUART AND WILLIAM H. BUSH.

The bill (S. 4128) for the relief of the estates of Frances M. Stuart and William H. Bush was considered as in Committee of the Whole. It proposes to pay to the personal or legal representatives of the following estates, which paid taxes in the first Illinois internal-revenue district, namely, estates of Frances M. Stuart and William H. Bush, such sum of money as has been in any manner collected from those estates as internal-revenue taxes, paid on legacies and distributive shares of personal property, to the United States under the war-revenue act of June 13, 1898, the sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton v. Moore (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF ALTON R. DALRYMPLE.

The bill (S. 4153) for the relief of the estate of Alton R. Dalrymple was considered as in Committee of the Whole. It proposes to pay to the personal or legal representatives of the estate of Alton R. Dalrymple, late of St. Paul, Minn., such sum of money as has been in any manner collected from the estate as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton v. Moore (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATES OF MILTON T. CAREY AND OTHERS.

The bill (S. 4186) for the relief of the estates of Milton T. Carey and others was considered as in Committee of the Whole. It proposes to pay to the personal or legal representatives of the following estates, which paid taxes in the Ohio internal-revenue districts, namely, estates of Milton T. Carey, Isabella J. Stickney, and Melvin R. Palmer, such sums of money as have been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton v. Moore (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATES OF EDWARD CHRISTIE AND LOUIS FELDMAN.

The bill (S. 4208) for the relief of the estates of Edward Christie and Louis Feldman was considered as in Committee of the Whole. It proposes to pay to the personal or legal representatives of the estates of Edward Christie, late of Auburn, Cal., and Louis Feldman, late of San Francisco, Cal., such sums of money as have been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton v. Moore (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.



## ESTATE OF MAURICE T. SMITH AND ELLA P. WILLIAMS.

The bill (S. 4564) for the relief of the estate of Maurice T. Smith and Ella P. Williams was considered as in Committee of the Whole. It proposes to pay to the personal or legal representative of the estates of Maurice T. Smith and Ella P. Williams, late of Richmond, Va., such sum of money as has been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of *Knowlton v. Moore* (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF T. B. COWAN AND OTHERS.

The bill (S. 4661) for the relief of the estate of T. B. Cowan and others was considered as in Committee of the Whole. It proposes to pay to the personal or legal representative of the following estates, which paid taxes in the internal-revenue district of Louisiana, namely, estates of T. B. Cowan, I. N. Gilruth, Leon Godchaux, J. K. Kearney, Magdaline Newbig, Florian Rodrigue, and Adele Tassin, such sums of moneys as have been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of *Knowlton v. Moore* (reported in United States Supreme Court Reports, vol. 178, p. 41), any statute of limitations to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PUBLIC BUILDING AT VANCOUVER, WASH.

The bill (S. 4960) to erect a public building in the city of Vancouver, in the State of Washington, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds, with an amendment, on page 2, line 2, after the words "sum of," to strike out "two hundred" and insert "one hundred and forty," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected upon the site already acquired in the city of Vancouver, Wash., a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office in the said city of Vancouver, Wash., the cost of said building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$140,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## BILLS PASSED OVER.

Mr. SMOOT. Mr. President, I ask that the next two bills on the calendar, being Senate bill 5206 and Senate bill 5728, be passed over.

The VICE PRESIDENT. At the request of the Senator from Utah, the bills referred to by him will be passed over.

## ADDITIONAL STATISTICS OF TOBACCO.

The bill (H. R. 13988) to authorize the Director of the Census to collect and publish additional statistics of tobacco was considered as in Committee of the Whole.

The bill had been reported from the Committee on the Census with amendments. The first amendment was, in section 1, page 1, line 6, after the word "forms," to strike out "except manufactured tobacco," and on page 2, line 22, after the word "shall," to insert "under oath," so as to make the section read:

That the Director of the Census be, and he is hereby, authorized and directed to collect and publish, in addition to the tobacco reports now being made by him, statistics of the quantity of leaf tobacco in all forms in the United States in the possession of all persons who are dealers or manufacturers, other than the original growers of tobacco, to be summarized and returned by the holder to the Director of the Census as of the dates of October 1 and April 1 of each year, provided that the Director of the Census shall not be required to collect statistics of leaf tobacco from any manufacturer of tobacco who in the preceding calendar year, according to the returns to the Commissioner of Internal Revenue, manufactured less than 50,000 pounds of tobacco, or from any manufacturer of cigars who during the preceding calendar year manufactured less than 250,000 cigars, or from any manufacturer of cigarettes who during the preceding calendar year manufactured less than 1,000,000 cigarettes, or from any dealer in leaf tobacco who, on the average, had less than 50,000 pounds in stock at the ends of the four quarters of the preceding calendar year, and every manufacturer of to-

bacco who, in the preceding calendar year, according to the return of the Commissioner of Internal Revenue, manufactured more than 50,000 pounds of tobacco, and every manufacturer of cigars who, during the preceding calendar year, manufactured more than 250,000 cigars, and every manufacturer of cigarettes who, during the preceding calendar year, manufactured more than 1,000,000 cigarettes, and every dealer in or manufacturer of leaf tobacco who, on an average, during the preceding calendar year, had more than 50,000 pounds in stock at the ends of the four quarters of the preceding calendar year, shall, under oath, make written reports of the amounts held by them, as herein provided.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 7, after the word "reports," to strike out "may" and insert "shall"; in the same line, after the word "shall," to strike out "furnish" and insert "send"; and in line 8, after the word "act," to insert "not more than 15 nor less than 10 days prior to the 1st days of October and April in each year, together with a written or printed demand that such person make the report required," so as to make the section read:

SEC. 2. That the Director of the Census shall specify the types of tobacco to be included in the reports of the holders thereof, and he shall specify the several types separately in making his reports. In securing reports by types, the Director of the Census shall follow substantially the classification of general types as recognized and adopted by the Department of Agriculture. That the Director of the Census shall prepare appropriate blanks upon which such reports shall be made and shall send a copy of same to any person subject to make reports under this act, not more than 15 nor less than 10 days prior to the first days of October and April in each year, together with a written or printed demand that such person make the report required.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 14, after the word "days," to strike out "prior to" and insert "after"; in line 16, after the word "Census," to insert "the number of pounds of each"; in line 17, after the word "tobacco," to strike out "and the quantity of same owned or held by him and contracted to be purchased by him" and insert "owned by him"; in line 19, after the word "dates," to insert "respectively"; and on page 4, line 7, after the word "not," to strike out "less than 30 days or," so as to make the section read:

SEC. 3. That all persons subject to the provisions of this act shall, within 10 days after the 1st day of October and 1st day of April in each year, make written report to the Director of the Census the number of pounds of each of the several types of leaf tobacco owned by him as of the said dates, respectively. If any such person shall fail to make said report within the time prescribed, he shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$300 or more than \$1,000. If any such person so liable to make such reports shall fail to make the same within the dates above specified, and thereafter the Director of the Census shall demand such report in writing, which demand shall be forwarded by registered mail, then if such person shall fail to make such report within 20 days after such demand so made, he shall also be deemed guilty of a misdemeanor, and upon conviction shall be imprisoned for not more than 6 months, in the discretion of the court. The depositing of the notice by the Director of the Census in any post office shall be held to be prima facie evidence of the delivery of the notice to the holder of tobacco, from which date the period of 20 days shall begin to run. The president, general manager, or other chief officer of any corporation failing to make such reports as required by this act shall be subject to the same penalties as are herein prescribed.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 20, after the word "not," to strike out "less than 30 days or"; so as to make the section read:

SEC. 4. That any person who shall make a false report to the Director of the Census as to the types or amounts of tobacco held or owned by him shall be guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for not more than six months, in the discretion of the court. The president, general manager, or other officer of any corporation making such false report shall be subject to the same penalty as prescribed in this section.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

## RESOLUTION AND BILLS PASSED OVER.

Mr. SMOOT. I ask that Orders of Business 440, 441, and 442, being Senate resolution 242, Senate bill 5676, and Senate bill 5141, be passed over.

The VICE PRESIDENT. The resolution and bills referred to will be passed over at the request of the Senator from Utah.

## AMERICAN NUMISMATIC ASSOCIATION.

The bill (H. R. 12623) to incorporate the American Numismatic Association was announced as next in order.

Mr. BORAH. I ask that that bill go over, Mr. President.

Mr. SMOOT. It is a harmless bill.

Mr. BORAH. It may be perfectly harmless, but when it is proposed to create a corporation I should like to read its proposed charter before the bill for that purpose is passed. What is the object of this association?

Mr. LODGE. They are simply collectors of coin; that is all.

Mr. SMOOT. They simply want to have a meeting place.

Mr. BORAH. Well, let the bill be read.

The VICE PRESIDENT. The Chair understands the Senator from Idaho temporarily withdraws his objection, and the Secretary will read the bill.

The Secretary read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

The bill (H. R. 16571) to give effect to the convention between the Governments of the United States, Great Britain, Japan, and Russia for the preservation and protection of the fur seals and sea otter which frequent the waters of the North Pacific Ocean, concluded at Washington July 7, 1911, was announced as next in order.

Mr. LODGE. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 5629) to amend an act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes," approved January 27, 1905, was announced as next in order.

Mr. McCUMBER. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

A bill (S. 5674) for the relief of Indians occupying railroad lands was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

Mr. LODGE. Mr. President, I ask that all the bills relating to Indian affairs from Order of Business 450 to Order of Business 456, inclusive, may go over.

The VICE PRESIDENT. In the absence of objection it will be so ordered.

The bill (S. 5254) to provide for compulsory education of the children of Alaska, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

#### POST-OFFICE BUILDING AT ALBANY, OREG.

The bill (S. 5874) to increase the limit of cost for the erection and completion of the United States post-office building at Albany, Oreg., was considered as in Committee of the Whole. It proposes to increase by \$10,000 the limit of cost heretofore fixed by Congress to erect, complete, and furnish the post-office building at Albany, Oreg., provided for in existing legislation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### POST-OFFICE BUILDING AT THE DALLES, OREG.

The bill (S. 5877) to increase the limit of cost for the erection and completion of the post-office building at The Dalles, Oreg., was considered as in Committee of the Whole. It proposes to increase by \$24,000 the limit of cost heretofore fixed by Congress to erect, complete, and furnish the post-office building at The Dalles, Oreg.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### NORTH AMERICAN TRANSPORTATION & TRADING CO.

The bill (S. 15) for the relief of the North American Transportation & Trading Co. was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments. The first amendment was, on page 1, line 7, after the words "sum of," to strike out "\$4,151.08" and insert "\$2,654.10"; and in line 9, after the word "cents," to strike out "for the following purposes, to wit," so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the North American Transportation & Trading Co., of Chicago, Ill., out of any money in the Treasury not otherwise appropriated, the sum of \$2,654.10.

The amendment was agreed to.

The next amendment was, on page 1, beginning in line 10, to strike out "the sum of \$2,654.10," so as to read:

The company's receipt of the same to be in full payment and discharge of all claim for supplies furnished the Koyukuk Indians, of Peavay, Alaska, during April and May, 1899, at the request of a mass meeting of citizens of the United States held for the purpose of taking steps to prevent the death of these Indians from starvation, as reported by the Secretary of the Interior to the Speaker of the House of Representatives in House Document No. 166, Fifty-seventh Congress, first session.

The amendment was agreed to.

The next amendment was, on page 2, after line 9, to strike out:

The sum of \$841.98, the company's receipt of the same to be in full payment and discharge of all claim for supplies and disbursements on account of the George F. Tilton overland relief expedition on behalf of the wrecked whalers at Point Barrow, Alaska, in the winter of 1897 and 1898, as reported by the Secretary of the Treasury to the chairman of the Committee on Claims of the House of Representatives on April 25, 1902, April 19, 1906, and April 1, 1908.

The sum of \$655, the receipt of the same to be in full payment and discharge of all claim for damages caused by Government steamer *Duchess* on July 21, 1900, in violation of the laws of navigation, running into and injuring the company's schooner *Mary Ann* while said schooner was at anchor in quarantine off Egg Island at St. Michael, Alaska, as described in the estimates of the Secretary of War, House Document No. 348, Fifty-sixth Congress, second session; House Document No. 588, Fifty-seventh Congress, first session; House Document No. 12, estimates for 1904; House Document No. 652, Fifty-eighth Congress, second session; House Document No. 12, Fifty-eighth Congress, third session; House Document No. 12, Sixtieth Congress, first session. The amount of \$405 was the actual amount expended for making repairs, as shown by the estimates of the Secretary of War, and \$250 being compensation for loss of the use of the vessel occasioned by said collision and the necessity of making the said repairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT HOUSTON, TEX.

The bill (H. R. 1647) to amend an act entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," was considered as in Committee of the Whole. It proposes to repeal the last proviso of section 20, chapter 3916, Thirty-fourth United States Statutes at Large, "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," which reads as follows:

Provided further, That upon the completion of the building herein authorized to be constructed, the Secretary of the Treasury shall proceed by due and proper advertisement, and under such regulations, conditions, and stipulations as he may prescribe, or as Congress may hereafter direct, to sell to the highest bidder the present building and site upon which it is located, in Houston, Tex., now owned by the United States Government and now used and occupied as a post office, courthouse, customhouse, and for other governmental purposes, and deposit the proceeds thereof into the Treasury of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RECIPROCITY WITH CANADA.

The bill (S. 3316) to repeal an act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911, was announced as next in order.

Mr. LODGE. Let that bill go over.

The VICE PRESIDENT. The bill goes over.

#### HENRY G. ROETZEL AND PAUL CHIPMAN.

The bill (S. 998) for the relief of Henry G. Roetzel and Paul Chipman was considered as in Committee of the Whole. It proposes to pay to Henry G. Roetzel and Paul Chipman, partners doing business under the firm name of Roetzel & Chipman, contractors, of Evansville, Ind., \$5,203.22, that being the amount withheld from them as liquidated damages under a certain contract for the construction of concrete walls, etc., at the lock at Grand Rapids, on the Wabash River.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### SYSTEM OF RURAL COOPERATIVE CREDITS.

The joint resolution (H. J. Res. 75) to provide for the appointment of a commission to investigate the operations of cooperative land-mortgage banks and cooperative rural-credit unions in other countries, was announced as next in order.

Mr. WATSON. Let that go over, Mr. President.

The VICE PRESIDENT. The joint resolution goes over.

#### POST-OFFICE BUILDING AT HASTINGS, MICH.

The bill (S. 2751) providing for the erection of a post-office building at Hastings, Mich., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds with an amendment on page 1, line 10, after the word "exceed," to strike out "fifty," and insert "eighty-one"; and in the same line, after the word "dollars," to strike out "for the purposes aforesaid, the sum of \$50,000, or so much thereof as may be necessary, is hereby appropriated



out of any money in the Treasury not otherwise appropriated," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site, and cause to be erected thereon a suitable post-office building, including necessary vaults, heating and ventilating apparatus, and for the use of any other offices of the Government at Hastings, Mich. The cost of said building, including vaults, heating and ventilating apparatus, not to exceed \$81,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### JAMES R. BROWN.

The bill (S. 1911) for the relief of James R. Brown, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment on page 1, line 5, after the words "sum of," to strike out "five thousand," and insert "two hundred and fifty," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to James R. Brown, of Washington, D. C., the sum of \$250, as full compensation for personal injuries received by the said Brown by being caught under a falling truck while the same was being unloaded from an elevator in the United States Treasury Building at Washington, D. C., without any fault or contributory negligence on his part, and while in the discharge of his official duties, on the 5th day of April, in the year 1907, and an amount sufficient to pay the same is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CALAVERAS BIG TREE NATIONAL FOREST.

The bill (H. R. 12211) to amend the act of February 18, 1909 (35 Stat. L., p. 626), entitled "An act to create the Calaveras Big Tree National Forest, and for other purposes," was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PROOF ON DESERT-LAND ENTRIES.

The bill (H. R. 20491) authorizing the Secretary of the Interior to grant further extension of time within which to make proof on desert-land entries, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### IRRIGATION DITCH IN HAWAII.

The bill (H. R. 11628) authorizing John T. McCrosson and associates to construct an irrigation ditch on the island of Hawaii, Territory of Hawaii, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

#### MARY C. MAYERS.

The bill (S. 5462) for the relief of Mary C. Mayers was considered as in Committee of the Whole. The preamble recites that whereas Joseph L. Mayers, lately an American citizen, residing at Yokohama, Japan, died on May 7, 1899, as the result of injuries received on May 6, 1899, by the fall of the first whale-boat belonging to the U. S. S. *Charleston*, then lying in Victoria Harbor, Hongkong, China, which was negligently detached from the davits of the ship by some of the ship's crew, Mayers having gone to the ship on official business, and left surviving him a widow, Mary C. Mayers, who was wholly dependent on her husband for support, and she is now without means, therefore the bill appropriates \$5,000 for the aid and support of Mary C. Mayers, widow of Joseph L. Mayers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### ESTATE OF EMILY A. AUTEN AND OTHERS.

The bill (S. 5008) for the relief of the estate of Emily A. Auten and others was considered as in Committee of the Whole. It proposes to pay to the personal or legal representative of the following estates, which paid taxes in the New Jersey internal-revenue district, namely, estates of Emily A. Auten, William Golding, and Elizabeth S. Gummere, such sum of money as has been in any manner collected from those estates as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with

the decision of the United States Supreme Court in the case of Knowlton against Moore (reported in U. S. Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF ANDREW C. NASH.

The bill (S. 5810) for the relief of the estate of Andrew C. Nash was considered as in Committee of the Whole. It proposes to pay to the personal or legal representatives of the estate of Andrew C. Nash, late of Westport, Conn., such sum of money as has been in any manner collected from the estate as internal-revenue taxes paid on legacies and distributive shares of personal property to the United States, under the war-revenue act of June 13, 1898, such sums to be refunded in accordance with the decision of the United States Supreme Court in the case of Knowlton against Moore (reported in U. S. Supreme Court Reports, vol. 178, p. 41), any statute of limitation to the contrary notwithstanding.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

The bill (S. 284) for the relief of Andrew H. Russell and William R. Livermore was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The bill (S. 4840) to carry into effect the judgment of the Court of Claims in favor of the contractors for building the U. S. battleship *Indiana* was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

#### PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 6084) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following-named persons at the rates per month stated:

Edward S. Allen, late of Company G, Second Regiment Nebraska Volunteer Cavalry, \$30.

Peter S. Brady, late of Company K, Third Regiment Kentucky Volunteer Infantry, \$30.

Susan R. Lovell, late nurse, Medical Department, United States Volunteers, \$20.

George Reiber, late of Company B, Second Regiment West Virginia Volunteer Cavalry, \$30.

Sylvester J. Hervey, late of Company B, Sixth Regiment Kansas Volunteer Infantry, \$24.

John Murphy, late of Troop C, Fifth Regiment United States Cavalry, \$30.

Luzerne Jones, late of Company A, One hundred and thirtieth Regiment Ohio National Guard Infantry, \$24.

Frederick Gunther, late of Company L, Third Regiment Pennsylvania Volunteer Cavalry, \$30.

Christopher C. Yancey, alias Christopher Columbus, late landsman, U. S. S. *Great Western* and *Naumkeag*, United States Navy, \$24.

Samuel H. Atwood, late of Companies I and K, Fifth Regiment New Hampshire Volunteer Infantry, \$30.

Ephraim Edmonson, late of Company D, Second Regiment United States Colored Volunteer Infantry, \$24.

Joseph H. Graham, late captain Company H, Thirteenth Regiment Illinois Volunteer Cavalry, \$30.

Thomas Fisher, late of Company F, Second Regiment Iowa Volunteer Cavalry, \$30.

Robert McKinnis, late of Company G, Ninth Regiment Iowa Volunteer Infantry, \$30.

Samuel Fletcher, late of Company H, Thirty-third Regiment Illinois Volunteer Infantry, \$30.

Peter Lory, late of Company I, Twenty-first Regiment Missouri Volunteer Infantry, \$30.

Nelson Miller, late of Company E, Tenth Regiment Michigan Volunteer Cavalry, \$24.

Harvey Ellison, late of Company A, First Regiment Kentucky Volunteer Cavalry, \$30.

Andrew Plank, late of Company C, Tenth Regiment Kentucky Volunteer Cavalry, \$30.

Daniel S. Jones, late of Company M, First Regiment Indiana Volunteer Heavy Artillery, \$24.

Thomas Boland, late of Company I, Fifty-sixth Regiment New York Volunteer Infantry, \$24.

Chauncey M. Carpenter, late of Company C, Second Regiment Vermont Volunteer Infantry, \$30.

John Leavell, late major, Eighth Regiment Indiana Volunteer Cavalry, \$30.

Henry J. Hollowell, late of Company B, Fifth Regiment Wisconsin Volunteer Infantry, \$24.

William Hall, jr., late of Company A, Fifteenth Regiment West Virginia Volunteer Infantry, \$30.

Rufus S. Dixon, late of Company K, Twenty-first Regiment Connecticut Volunteer Infantry, \$30.

James E. Houghland, late of Company E, Nineteenth Regiment Iowa Volunteer Infantry, \$30.

Joseph Hill, late of Company C, Fourth Regiment, and Company D, Seventh Regiment, Rhode Island Volunteer Infantry, \$30.

Benjamin F. Mount, late of Company G, Fifteenth Regiment, and Company G, Tenth Regiment, West Virginia Volunteer Infantry, \$24.

James M. Ard, late of Company I, Thirteenth Regiment Kentucky Volunteer Cavalry, \$24.

Josiah W. Poorman, late of Company D, Twenty-first Regiment Pennsylvania Volunteer Cavalry, \$24.

William H. Spore, late of Company E, Eightieth Regiment Indiana Volunteer Infantry, \$24.

James B. Wilson, late of Company C, Sixty-seventh Regiment Indiana Volunteer Infantry, \$30.

Seymour B. Young, late of Capt. Smith's company, Utah Volunteer Cavalry, \$24.

David L. McNutt, late of Company G, One hundredth Regiment Ohio Volunteer Infantry, \$30.

Jerry Butts, late of Company G, One hundred and fifth Regiment Ohio Volunteer Infantry, \$50.

William C. Torrence, late of Company I, Twenty-ninth Regiment Pennsylvania Volunteer Infantry, \$24.

John A. Montgomery, late of Company K, Eleventh Regiment Pennsylvania Reserves Volunteer Infantry, \$24.

Rufus F. Thorne, late of Company H, Second Regiment Kansas Volunteer Cavalry, and second lieutenant Company F, Fifth Regiment Kentucky Volunteer Cavalry, \$30.

Thomas E. McMillan, late of Company B, Forty-fifth Regiment Iowa Volunteer Infantry, \$24.

George H. Wilcox, late of Company G, Seventh Regiment Pennsylvania Volunteer Cavalry, and unassigned, Veteran Reserve Corps, \$24.

Thomas Riley, late of Company H, Sixty-first Regiment Massachusetts Volunteer Infantry, \$24.

Eli K. Simonds, late of Company D, Fifth Regiment Michigan Volunteer Cavalry, \$36.

George F. Wonder, late of Signal Corps, United States Army, \$24.

Samuel Heath, late of Company A, Seventy-seventh Regiment Ohio Volunteer Infantry, \$36.

Silas Ebersole, late of Company K, Fiftieth Regiment Illinois Volunteer Infantry, \$30.

Anna M. McCartney, widow of Joseph S. McCartney, late captain Company H and major Tenth Regiment Illinois Volunteer Cavalry, \$20.

George C. Bucknam, late of Company C, Third Battery Massachusetts Volunteer Light Artillery, and pay him a pension at the rate provided by law for loss of both hands from disability incurred in the military service from the date of the passage of this act.

James T. Taylor, late of Company A, Second Battalion District of Columbia Militia Infantry, and Company D, Third Regiment Pennsylvania Volunteer Cavalry, \$20.

Marshall Dillon, late of Company F, First Regiment Ohio Volunteer Heavy Artillery, \$24.

George W. Forsythe, late of Company G, Thirty-first Regiment Wisconsin Volunteer Infantry, \$36.

Wesley C. Harvey, late carpenter and second master U. S. steam ram *T. D. Horner*, Mississippi Ram Fleet, \$15.

Annie B. Godwin, widow of William T. Godwin, late first lieutenant Company A, One hundred and eighteenth Regiment Pennsylvania Volunteer Infantry, \$25.

William Yeakey, late of Company C, Fifty-eighth Regiment Illinois Volunteer Infantry, and Company H, First Regiment Missouri Volunteer Light Artillery, \$30.

Josephine Owens, helpless and dependent daughter of Micajah Owens, late of Company F, Forty-eighth Regiment Indiana Volunteer Infantry, \$12.

John W. Page, late of Company I, Sixth Regiment New Hampshire Volunteer Infantry, \$40.

James Lewis, late of Company G, Third Regiment North Carolina Volunteer Mounted Infantry, \$24.

Samuel Randolph, late of Company A, Tenth Regiment Michigan Volunteer Cavalry, \$24.

Amelia Pearce, widow of William S. Pearce, late of Company H, Thirty-fifth Regiment New York Volunteer Infantry, \$20.

Marvin Chapman, late of Company D, Forty-second Regiment Missouri Volunteer Infantry, \$30.

John B. Maberry, late of Company F, First Regiment Delaware Volunteer Infantry, \$30.

John W. Sperry, late of Company K, Seventh Regiment Iowa Volunteer Infantry, \$30.

Robert M. Carlton, late of Company F, Forty-fifth Regiment Ohio Volunteer Infantry, and Sixty-first Company, Second Battalion Veteran Reserve Corps, \$24.

Nancy Wilson, former widow of William Wilson, late of Company C, Sixty-eighth Regiment Ohio Volunteer Infantry, \$12.

Elisha G. Norton, late of Company D, Second Regiment Maine Volunteer Cavalry, \$30.

Horace W. White, late of Company A, Fifty-first Regiment New York Volunteer Infantry, \$36.

John Savage, late of Company A, Fifth Regiment Iowa Volunteer Infantry, \$30.

Justin E. Brown, late of Company B, Thirteenth Regiment Maine Volunteer Infantry, and first lieutenant Company A, Tenth Regiment United States Colored Volunteer Heavy Artillery, \$36.

George Potter, late of Company G, Tenth Regiment Connecticut Volunteer Infantry, \$30.

Eva J. Clarke, helpless and dependent child of William S. Clarke, late of Battery G, Fifth Regiment United States Artillery, \$12.

Daniel Fordham, late of Company H, One hundred and eighteenth Regiment, and Company A, Ninety-sixth Regiment, New York Volunteer Infantry, \$30.

Jacob W. Kinsey, late of Company H, First Regiment Nebraska Volunteer Cavalry, \$30.

Frank Blermann, late of Company B, First Regiment Missouri State Militia Infantry, \$30.

Edward Raubyauer, late of the U. S. S. *Yankee*, United States Navy, \$30.

Henry Ford, late of Company A, Fiftieth Regiment Ohio Volunteer Infantry, \$30.

David P. Wilcox, late first lieutenant Company H, Second Regiment East Tennessee Volunteer Infantry, \$40.

Mary J. Chick, dependent mother of Adelbert P. Chick, late of Company K, Eleventh Regiment Maine Volunteer Infantry, \$12.

Samuel M. Terry, late of Troops D and K, Second Regiment United States Cavalry, \$30.

Albert F. Whiting, late of Company K, Seventh Regiment Massachusetts Volunteer Infantry, and Company E, Fourteenth Regiment Veteran Reserve Corps, \$24.

Isaac W. Hodsdon, late of Company K, Tenth Regiment, and Companies A and K, Twenty-ninth Regiment Maine Volunteer Infantry, \$30.

Mary J. Foster, widow of John D. Foster, late of Company H, One hundred and fortieth Regiment New York Volunteer Infantry, and Company C, Nineteenth Regiment Veteran Reserve Corps, \$20.

James M. Lowell, late of Company G, Twenty-third Regiment Maine Volunteer Infantry, \$24.

Charles Bennett, late of Company B, Thirty-third Regiment, and Company B, Second Regiment, Massachusetts Volunteer Infantry, \$24.

George A. Evans, late of Company G, Coast Guards, Maine Volunteer Infantry, \$24.

Adelaide E. Harding, widow of Cyrus B. Harding, late of Company C, Hatch's battalion, Minnesota Volunteer Cavalry, and former widow of Carlton W. Race, late of U. S. S. *Savannah* and *Iroquois*, United States Navy, \$12.

Jeremiah Miles, late of Company G, Twenty-sixth Regiment United States Colored Volunteer Infantry, \$24.

Nelson L. Porter, late of Company A, Twenty-first Regiment Connecticut Volunteer Infantry, \$30.

Rudolph Alff, late of Company L, Fourth Regiment, and Company L, Ninth Regiment, New York Volunteer Cavalry, \$24.

Samuel Pincus, alias Jacob Harris, late of Company G, One hundred and seventy-sixth Regiment New York Volunteer Infantry, \$24.

Henry H. Helphenstine, late of Company A, Eighteenth Regiment Indiana Volunteer Infantry, \$36.

Mr. McCUMBER. On page 6, I move to strike out the clause from line 1 to line 4, inclusive, because of the death of the claimant.

The VICE PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.



The SECRETARY. On page 6, it is proposed to strike out from line 1 to line 4, inclusive, as follows:

The name of Rufus S. Dixon, late of Company K, Twenty-first Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

Mr. SMOOT. The next three bills have been reported adversely. They are Senate bills Nos. 4159, 4230, and 364. I ask that they may be passed over.

The VICE PRESIDENT. At the request of the Senator from Utah, the bills will go over.

#### GEORGE HALLMAN.

The bill (S. 2539) for the relief of George Hallman was considered as in Committee of the Whole. The bill was reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of," to strike out "five thousand" and insert "one hundred and sixty," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George Hallman, out of any moneys in the Treasury of the United States not otherwise appropriated, the sum of \$160, in full settlement of his claim against the Government of the United States for personal injuries received while in the employ of the Government of the United States as fireman and when in line of duty.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### LANDS IN PINE RIDGE INDIAN RESERVATION, S. DAK.

The bill (S. 111) to authorize the sale and disposition of the surplus and unallotted lands in Washabaugh County, in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation to carry the same into effect, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### PUBLIC BUILDING AT REDFIELD, S. DAK.

The bill (S. 409) to provide for the erection of a public building in the city of Redfield, S. Dak., was considered as in Committee of the Whole. The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in section 1, on page 1, line 11, before the word "thousand," to strike out "one hundred" and insert "sixty-five," so as to make the section read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected upon the site already selected and purchased by him in the city of Redfield, S. Dak., a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post office and other Government offices at the said city of Redfield, S. Dak., which said building shall cost, complete, not to exceed the sum of \$65,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HOMESTEAD ENTRIES ON RECLAMATION PROJECTS.

The bill (H. R. 18792) for the relief of homestead entrymen under the reclamation projects in the United States was considered as in Committee of the Whole. It provides that no qualified entryman who prior to June 25, 1910, made bona fide entry upon lands proposed to be irrigated under the provisions of the act of June 17, 1902, the national reclamation law, and who established residence in good faith upon the lands entered by him, shall be subject to contest for failure to maintain residence or make improvements upon his land prior to the time when water is available for the irrigation of the lands embraced in his entry, but all such entrymen shall, within 90 days after the issuance of the public notice required by section 4 of the reclamation act, fixing the date when water will be available for irrigation, file in the local land office a water-right application for the irrigable lands embraced in his entry, in conformity with the public notice and approved farm-unit plat for the township in which his entry lies, and shall also file an affidavit that he has reestablished his residence on the land with the intention of maintaining the same for a period sufficient to enable him to make final proof; but no such entryman shall be entitled to have counted as part of the required period of residence any period of time during which he was

not actually upon the land prior to the date of the notice and no application for the entry of the lands shall be received until after the expiration of the 90 days after the issuance of notice within which the entryman is hereby required to reestablish his residence and apply for water right.

Mr. BORAH. Mr. President, I desire to ask the chairman of the Committee on Public Lands if this bill applies to all reclamation projects?

Mr. SMOOT. It applies to all reclamation projects.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MEMORIAL AMPHITHEATER AT ARLINGTON.

The bill (S. 4780) for the erection of a memorial amphitheater at Arlington Cemetery was announced as next in order.

Mr. McCUMBER. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

#### POST-OFFICE AND CUSTOMHOUSE SITES AT PORTLAND, OREG.

The bill (S. 5910) granting to the city of Portland, Oreg., certain strips of land from the post-office and customhouse sites in said city for street purposes was considered as in Committee of the Whole. It directs the Secretary of the Treasury to grant, relinquish, and convey, by quitclaim deed, to the city of Portland, Oreg., a strip of land approximately 10 feet in width off of the Seventh Street side of the new post-office site in that city and extending along Seventh Street from Hoyt to Glisan Streets, being part of the east end of lots 8, 5, 4, and 1, in block 8; and to grant, relinquish, and convey to the city of Portland, by quitclaim deed, a strip of land approximately 10 feet in width off of the Seventh Street side of the customhouse site in that city extending along Seventh Street from Davies to Everett Streets, the Secretary of the Treasury to reserve such portion of the strip for the use of the United States as he may consider necessary for areas, steps, approaches, etc., the strips of land to be used for street purposes only.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OVER.

The bill (S. 3645) to amend the law providing for the payment of the death gratuity as applicable to the Navy and Marine Corps was announced as next in order.

Mr. SMOOT. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5382) to provide an exclusive remedy and compensation for accidental injuries, resulting in disability or death, to employees of common carriers by railroad engaged in interstate or foreign commerce, or in the District of Columbia, and for other purposes, was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 14052) authorizing the Secretary of Agriculture to issue certain reports relating to cotton was announced as next in order.

Mr. SMITH of Georgia. Mr. President, the Senator from South Carolina [Mr. SMITH], who reported that bill, is not present in the Senate at this time, and so I think the bill had better go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5294) to establish in the Bureau of Statistics, in the Department of Agriculture, a division of markets was announced as next in order.

Mr. SMITH of Georgia. I should like very much to have that bill considered.

Mr. SMOOT. I wish to ask that the bill go over to-day; but I will say to the Senator that I will take time to-night to look over it. He asked me to do so to-day, but I have not had the opportunity.

Mr. SMITH of Georgia. It has been unanimously reported from the Committee on Agriculture and Forestry.

Mr. SMOOT. If the Senator from Georgia has no objection, I should like to have the bill go over to-day.

Mr. SMITH of Georgia. Very well; but I am afraid I shall not get it in such favorable position again.

The VICE PRESIDENT. The bill will go over.

The bill (S. 5186) to incorporate the Brotherhood of North American Indians was announced as next in order.

Mr. McCUMBER. I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 461) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Ponca Tribe of Indians against the United States was announced as next in order.

Mr. BRISTOW. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 5017) relating to procedure in United States courts was announced as next in order.

Mr. BORAH. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 3749) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, was announced as next in order.

Mr. BORAH. I also ask that that bill go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 5956) to restore in part the rank of Lieuts. Thomas Marcus Molloy and Joseph Henry Crozier, United States Revenue-Cutter Service, was announced as next in order.

Mr. SMOOT. Let that bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 4341) removing the charge of desertion from the military record of Nathan McDanel and extending to him pensionable rights was announced as next in order.

Mr. SMOOT. Mr. President, I have not had time to look at the report in this case, but I understand there is an amendment reported by the committee.

The VICE PRESIDENT. There is an amendment to strike out all after the enacting clause of the bill and insert a substitute.

Mr. WARREN. I will say to the Senator that the bill merely proposes to give this man a pensionable status.

Mr. SMOOT. I will ask that the bill go over for to-day, Mr. President.

The VICE PRESIDENT. The bill will be passed over, at the request of the Senator from Utah.

The bill (S. 2605) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade was announced as next in order.

Mr. SMOOT. I ask that the bill may go over.

Mr. LODGE. I hope the Senator will not object to the bill. We have made similar provision for officers of the Army and Navy. This is simply to give to the few remaining survivors of the Civil War who served as enlisted men and noncommissioned and petty officers, and who are now on the retired list, one extra grade, as has been given to the officers of the Army and Navy who served in the Civil War.

Mr. THORNTON. Mr. President, I should like to supplement the statement of the Senator from Massachusetts by saying that there are only 200 men on the retired list to whom this bill would apply.

The VICE PRESIDENT. Objection is made, and the bill goes over.

ISAAC J. REESE.

The bill (S. 4113) for the relief of Isaac J. Reese was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 11, after the word "named," to insert "Provided, That no pension shall accrue prior to the passage of this act," so as to make the bill read:

*Be it enacted, etc.,* That in the administration of the pension laws Isaac J. Reese shall hereafter be held and considered to have been in the military service of the United States as a private of Company K, One hundred and ninety-fourth Regiment Pennsylvania Volunteer Infantry, from the 24th day of July, 1864, to the 6th day of November, 1864, and to have been honorably discharged from said service on the date hereinbefore last named: *Provided, That no pension shall accrue prior to the passage of this act.*

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FERDINAND TOBE.

The bill (S. 1484) for the relief of Ferdinand Tobe was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with amendments, on page 1, line 10, after the word "That," to strike out "other than as above set forth," and in line 12, after the words "prior to," to strike out "or by reason of," so as to make the bill read:

*Be it enacted, etc.,* That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Ferdinand Tobe, who was a private of Company A, Fifty-eighth Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said company and regiment on the 30th day of June, 1863: *Provided, That no pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.*

Mr. SMOOT. Mr. President, I notice in line 12 of the bill, on page 1, the committee has recommended that the words "or by reason of" be stricken out; and the bill not only confers on

the beneficiary the rights, privileges, and benefits of an honorably discharged soldier, but it also places him in a position to draw a pension.

Mr. WARREN. Mr. President, I ask that the Secretary read the provision as it will be when amended.

Mr. SMOOT. I thought the Secretary had finished the reading.

Mr. WARREN. I ask that the provision as amended be read again.

The Secretary read as follows:

*Provided, That no pay, bounty, pension, or other emolument shall accrue prior to the passage of this act.*

Mr. SMOOT. Mr. President, that is the way it reads with the words stricken out, as proposed by the amendment. Evidently the bill intends not only to remove the dishonorable discharge, but it also confers upon the beneficiary the right to draw a pension hereafter.

Mr. WARREN. Mr. President, this bill was not reported by me, and the Senator who reported it is out of the Chamber. I will say, however, that in almost every case—I do not know but that I might say in every case—of correcting military records we now report bills for the purpose of giving the soldier a pensionable status hereafter, so that he may draw a pension for the rest of his life. This bill gives the soldier no back pay or pension, but gives him a pensionable status. Of course, the Pension Bureau will not allow any pension to a discharged soldier who has a stain of dishonorable discharge on his record. This is a case, however, where there seems to have been, in the minds of the committee, an excusable cause for pardon, if I may call it that. There are cases presented to the committee where a soldier, for instance, was a mere boy in his first enlistment and deserted, but subsequently enlisted, served honorably a full term, and received an honorable discharge from his second enlistment. In such a case as that the committee have felt that at this late day, as there are not many years left for him, he might have a pensionable status.

Mr. SMOOT. Has it been the rule of the committee in reporting such bills favorably to report them in such a way that from the time the bill passes the beneficiary can draw a pension?

Mr. WARREN. Such bills usually provide that the beneficiary may draw a pension hereafter, but not before the passage of the bill.

Mr. SMOOT. I will not object, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION AT BALTIMORE.

The bill (S. 6001) providing for gas buoys and other aids to navigation in the channels leading to Baltimore, Md., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce and Labor to use, for the establishment of gas buoys and other aids to navigation in the channels leading to Baltimore, Md., the appropriation of \$125,000 made by the act of Congress approved March 4, 1911 (36 Stat., 1431), for the establishment of range lights in Fort McHenry Channel, Md.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT STREET RAILWAYS.

The bill (S. 5990) to provide for the extension of the underground system of the Washington Railway & Electric Co. and the City & Suburban Railway of Washington along certain streets in the city of Washington, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

PROTECTION OF LIBRARY PROPERTY.

The bill (S. 6096) to amend subchapter 2, chapter 19, of the Code of Law for the District of Columbia, by providing a penalty for willful omission to return library property in the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, on page 1, line 7, after the word "whoever," to insert "willfully," so as to make the bill read:

*Be it enacted, etc.,* That subchapter 2 of chapter 19 of the Code of Law for the District of Columbia is hereby amended by adding thereto an additional section to be known as section 849a, as follows:

"Sec. 849a. That whoever detains any book, newspaper, magazine, pamphlet, manuscript, or other property belonging to or in the custody or control of the Library of Congress or any public or incorporated library in the District of Columbia for 30 days after notice in writing



to return the same, such notice to contain a copy of this section and to be given after the expiration of the time which, by the rules of such library, such book or other property may be kept, shall be punished by a fine of not less than \$1 nor more than \$25, or by imprisonment for not less than one month nor more than six months. Prosecutions under this section shall be brought in the name of the District of Columbia by information filed by the corporation counsel or one of his assistants: *Provided*, That the penalties provided by this section shall be in addition to any penalties lawfully imposed by the trustees of any public or incorporated library in the District of Columbia and shall be applicable when the offense is not otherwise punishable by some statute of the United States."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend subchapter 2, chapter 19, of the Code of Law for the District of Columbia, by providing a penalty for omission to return library property in the District of Columbia."

JOSEPH B. RILEY.

Mr. BRISTOW. I move that the next bill on the calendar, the bill (S. 1330) for the relief of Joseph B. Riley, alias Thomas B. Keesy, be recommitted to the Committee on Military Affairs.

The VICE PRESIDENT. Is there objection to recommitting the bill? The Chair hears no objection, and the order is entered.

#### MARINE FISHERY INTERESTS ON PACIFIC COAST.

The bill (S. 4850) to establish on the coast of the Pacific States a station for the investigation of problems connected with the marine fishery interests of that region was considered as in Committee of the Whole. It directs the Secretary of Commerce and Labor to establish, at some suitable point on the coast of the Pacific States, a station for the investigation of problems connected with the marine fishery interests of that region; and for the necessary surveys, purchase of land, erection of buildings and other structures, and the proper equipment of such a station the sum of \$50,000 is appropriated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN ALABAMA.

The bill (S. 239) to establish a fish-cultural station in the State of Alabama was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, the State of Alabama, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN COLORADO.

The bill (S. 90) to establish a fish-cultural station in the State of Colorado was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, the State of Colorado, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN IDAHO.

The bill (S. 142) to establish a fish-cultural station in the State of Idaho was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, the State of Idaho, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN MINNESOTA.

The bill (S. 263) to establish a fish-cultural station in the State of Minnesota was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill the State of Minnesota, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN NEVADA.

The bill (S. 4737) to establish a fish-cultural station in the State of Nevada was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, on page 1, line 8, after the word "Labor," to insert the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill the State of Nevada, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FISH-CULTURAL STATION IN NORTH DAKOTA.

The bill (S. 231) to establish a fish-cultural station at the city of Fargo, in the State of North Dakota, was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with amendments, on page 1, line 6, before the word "station," to strike out the word "fish-culture" and insert "fish-cultural"; in the same line, after the word "station," to strike out "at the city of Fargo"; and at the end of the bill, in line 9, after the word "Labor," to insert the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this act, the State of North Dakota, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

So as to make the bill read:

*Be it enacted, etc.,* That the sum of \$25,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the establishment of a fish-cultural station in the State of North Dakota, including purchase of site, construction of buildings and ponds, and equipment, at some suitable point to be selected by the Secretary of Commerce and Labor: *Provided*, That before any final steps shall have been taken, etc.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a fish-cultural station in the State of North Dakota."

#### FISH-CULTURAL STATION IN UTAH.

The bill (S. 423) to establish a fish-cultural station in the State of Utah was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, the State of Utah, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MISSOURI RIVER BRIDGES.

The bill (S. 5883) to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk & Southern Railway Co. was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, on page 2, line 4, after the word "act," to insert the following:

*Provided*, That the construction, maintenance, and operation of the said bridge shall be in all respects subject to and in accordance with the provisions of the act entitled "An act to regulate construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

So as to make the bill read:

*Be it enacted, etc.,* That section 6 of the act approved March 9, 1904, authorizing the Yankton, Norfolk & Southern Railway Co. to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., as amended by the act approved March 26, 1910, be, and the same is hereby, so amended that the time within which the said bridge is required to be commenced shall be within one year and the time within which it is required that the said bridge shall be completed shall be within three years from the date of the approval of this act: *Provided*, That the construction, maintenance, and operation of the said bridge shall be in all respects subject to and in accordance with the provisions of the act entitled "An act to regulate construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 5882) to extend the time for the completion of a bridge across the Missouri River at or near Yankton, S. Dak., by the Winnipeg, Yankton & Gulf Railroad Co. was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, to insert at the end of the bill the following:

*Provided*, That the construction, maintenance, and operation of the said bridge shall be in all respects subject to and in accordance with the provisions of the act entitled "An act to regulate construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

So as to make the bill read:

*Be it enacted, etc.,* That section 6 of the act approved April 5, 1904, authorizing the Winnipeg, Yankton & Gulf Railroad Co. to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., as amended by the act approved January 26, 1910, be, and the same is hereby, so amended that the time within which the said bridge is required to be commenced shall be within one year and the time within which it is required that the said bridge shall be completed shall be within three years from the date of the approval of this act: *Provided*, That the construction, main-

tenance, and operation of the said bridge shall be in all respects subject to and in accordance with the provisions of the act entitled "An act to regulate construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### RUSSELL FORK BRIDGE, KY.

The bill (H. R. 20286) authorizing the fiscal court of Pike County, Ky., to construct a bridge across Russell Fork of Big Sandy River was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### THE METAL SCHEDULE.

The bill (H. R. 18642) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, was announced as next in order.

Mr. LODGE. Let that go over.

The VICE PRESIDENT. The bill goes over.

#### FISH-CULTURAL STATION IN NORTH CAROLINA.

The bill (S. 1569) to establish a fish-cultural station in the State of North Carolina was considered as in Committee of the Whole.

The bill was reported from the Committee on Fisheries with an amendment, to insert at the end of the bill the following proviso:

*Provided*, That before any final steps shall have been taken for the construction of a fish-cultural station in accordance with this bill, the State of North Carolina, through appropriate legislative action, shall accord to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatching and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper, any fishery laws of the State to the contrary notwithstanding: *And provided further*, That the operations of said hatchery may be suspended by the Secretary of Commerce and Labor whenever, in his judgment, the laws and regulations affecting the fishes cultivated are allowed to remain so inadequate as to impair the efficiency of said hatchery.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 18335) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 6, line 15, after the word "receiving," to insert "*Provided*, That in the event of the death of Louisa E. Read, helpless and dependent child of said Alexander W. Read, the additional pension herein granted shall cease and determine," so as to make the clause read:

The name of Lucinda Read, widow of Alexander W. Read, late of Company B, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Louisa E. Read, helpless and dependent child of said Alexander W. Read, the additional pension herein granted shall cease and determine.

The amendment was agreed to.

The next amendment was, on page 9, line 6, before the word "dollars," to strike out "sixty" and insert "fifty," so as to make the clause read:

The name of Edwin G. Owen, late of Company I, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 17, before the word "dollars," to strike out "sixty" and insert "thirty-six," so as to make the clause read:

The name of Martin H. Black, late of Company K, Fifty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, line 1, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of John H. Mohler, late of Company K, One hundred and first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.



The next amendment was, on page 10, line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of George Smith, late of Company E, Thirty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 10, to strike out:

The name of Henry S. Byers, late of Company F, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. On page 13, line 21, before the word "dollars," I move to strike out "twenty" and insert "thirty," so as to read:

The name of Hiram S. Kenyon, late of Company H, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment of the Committee on Pensions was, on page 14, line 16, after the word "Infantry," to insert "and Company B, Seventh Regiment Veteran Reserve Corps," so as to make the clause read:

The name of Orlando Martin, late of Company A, Nineteenth Regiment Ohio Volunteer Infantry, and Company B, Seventh Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, after line 6, to strike out:

The name of Bridget McAloon, dependent mother of Peter McAloon, late lieutenant colonel Twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 4, to strike out:

The name of Henry Abrams, late of Companies D and C, Fourth Regiment Illinois Volunteer Cavalry, and Company C, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, after line 22, to strike out:

The name of Joseph H. Koch, late of Company G, Fiftieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 2, to strike out:

The name of John S. Cochrane, alias George S. Cochrane, late of Company H, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 23, after the word "receiving," to insert, "and \$2 per month additional on account of the minor child of said soldier until such child shall arrive at the age of 16 years," so as to make the clause read:

The name of Antoinette S. Edgett, widow of Orren B. Edgett, late of Company B, Battalion, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said soldier until such child shall arrive at the age 16 years.

The amendment was agreed to.

The next amendment was, on page 25, after line 15, to strike out:

The name of Ellen M. De Coursey, widow of Timothy De Coursey, late of Company K, Sixty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

Mr. McCUMBER. On page 27 I move to strike out lines 9, 10, 11, and 12, the beneficiary having died since the report was made.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. Strike out lines 9 to 12, inclusive, on page 27, as follows:

The name of Charles H. Wilcox, late of Company D, Seventy-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment of the Committee on Pensions was, on page 28, after line 4, to strike out:

The name of Stephen D. Smith, dependent father of Franklin Smith, late of Company G, Third Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 28, line 12, before the word "dollars," to strike out "thirty" and insert "forty," so as to make the clause read:

The name of Arthur E. Gilligan, late of Company C, Third Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, line 1, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Friedrich Miller, late of Company A, Cape Girardeau Battalion Missouri Home Guards, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ANNIE G. HAWKINS.

The bill (S. 117) granting an increase of pension to Annie G. Hawkins was announced as next in order.

Mr. McCUMBER. I ask that the bill may go over.

The VICE PRESIDENT. The bill will go over.

HARRIET PIERSON PORTER.

The bill (S. 118) granting an increase of pension to Harriet Pierson Porter was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. The bill will go over.

PROPOSED EIGHT-HOUR LAW.

The bill (H. R. 9061) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. The bill will go over.

ALASKAN COAL LANDS.

The bill (S. 5860) to provide for agricultural entries on coal lands in Alaska was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The VICE PRESIDENT. The bill goes over.

FLATHEAD IRRIGATION PROJECT.

The bill (S. 5957) providing for the issuance of patents to entrymen for homesteads in the so-called Flathead Irrigation project was announced as next in order.

Mr. SMITH of Georgia. Let that go over.

The VICE PRESIDENT. The bill will go over.

COLVILLE INDIAN RESERVATION.

The bill (S. 5350) authorizing and directing the Secretary of the Interior to investigate and report upon the advisability of constructing roads upon the diminished Colville Indian Reservation, in the State of Washington, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 18337) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 6, line 14, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Alva O. Brooks, late of Company B, Twenty-sixth Regiment Michigan Volunteer Infantry, and Company G, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 18, after the word "month," to insert "such pension to cease upon proof that the soldier is living," so as to make the clause read:

The name of Eliza A. Faries, widow of Myron J. Faries, late of Company I, First Regiment Minnesota Volunteer Infantry, and Troop H, First United States Cavalry, and pay her a pension at the rate of \$12 per month, such pension to cease upon proof that the soldier is living.

The amendment was agreed to.

The next amendment was, on page 9, after line 6, to strike out:

The name of Richard H. Ely, late of Company C, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 16, after the word "late," to strike out "of" and insert "second lieutenant," so as to make the clause read:

The name of Hattie L. Benedict, widow of James W. Benedict, late second lieutenant Company E, Tenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 21, after the word "late," to strike out "of" and insert "first lieutenant," so as to make the clause read:

The name of Ann Elizabeth Kitchen, widow of Charles W. Kitchen, late first lieutenant Company B, Thirty-eighth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 4, to strike out:

The name of William Miller, late of band, United States Reserve Corps, Missouri Volunteers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, line 10, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry," so as to make the clause read:

The name of Joseph M. Guthrie, late of Company B, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 2, to strike out:

The name of James Murray, late of Company K, Sixty-sixth Regiment Pennsylvania Volunteer Infantry, and Company K, Seventy-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, line 3, before the word "Cavalry," to strike out "Volunteer Reserve" and insert "Reserve Volunteer," so as to make the clause read:

The name of James P. Grove, late of Company F, First Regiment Pennsylvania Reserve Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 17, after the word "late," to strike out "of" and insert "first lieutenant," so as to make the clause read:

The name of John L. Shipley, late first lieutenant Company H, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 16, to strike out:

The name of Robert N. Barton, late of Company I, Fourteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 16, before the word "dollars," to strike out "fifty" and insert "thirty-six," so as to make the clause read:

The name of Thomas Addington, late chaplain Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 4, to strike out:

The name of Otis Long, late of Company K, One hundred and fifty-fifth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, after line 4, to strike out:

The name of Francis J. Truesdell, late of Company D, One hundred and twelfth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, line 11, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of John Williams, late of Company F, Forty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, line 10, before the word "Company" to insert "captain," so as to make the clause read:

The name of George W. Brown, late of Company A, Twenty-fourth Regiment, and captain Company F, Eighteenth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 12, to strike out:

The name of Mary E. Rutter, widow of Alonzo J. Rutter, late of Company K, Twenty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, line 3, after the words "at the rate," to strike out "of \$72 per month in lieu of that he is now receiving" and insert "provided by existing laws for total disability requiring the regular and constant aid and attendance of another person in lieu of that he is now receiving," so as to make the clause read:

The name of Munson M. Lockwood, late of Company F, Fifth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate provided by existing laws for total disability requiring the regular and constant aid and attendance of another person in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 34, after line 2, to strike out:

The name of John J. James, late of U. S. S. Great Western and Collier, United States Navy, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 35, line 5, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Pulaski T. Gaither, late of Company C, Forty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 35, line 12, after the word "Colored," to strike out "Troops" and insert "Volunteer Infantry," and in line 14, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Joseph Butcher, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. On page 5 I move to strike out lines 21 to 24, inclusive, the beneficiary having died since the report was made.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 5 strike out lines 21 to 24, inclusive, as follows:

The name of John G. Sauers, late of Company H, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. For the same reason, I move to strike out lines 24 and 25, on page 7, and lines 1 and 2, on page 8, as follows:

The name of William Koons, late of Company K, Two hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. For the same reason, I move to strike out lines 21 to 24, inclusive, on page 20.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 20 strike out lines 21 to 24, inclusive, as follows:

The name of James W. Quick, late of Company B, Thirty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. For the same reason, I move to strike out lines 5 to 8, inclusive, on page 23.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 23 strike out lines 5 to 8, inclusive, as follows:

The name of James Wood, late of Company E, One hundred and twenty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The bill (H. R. 19721) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole.



The bill was reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 18, before the word "dollars," to strike out "fifteen" and insert "eight," so as to make the clause read:

The name of Charles J. Nelson, late of Troop M, First Regiment Illinois Volunteer Cavalry, War with Spain, and pay him a pension at the rate of \$8 per month.

The amendment was agreed to.

The next amendment was, on page 2, after line 23, to strike out:

The name of Charles D. Barnett, late of Battery C, First Regiment Ohio Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FRANCIS M. GRINSTEAD.

The bill (S. 186) to correct the military record of Francis M. Grinstead was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That in the administration of the pension laws Francis Grinstead, alias Francis M. Grinstead, who was a private in Company G, Third Regiment Kentucky Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on August 31, 1862: *Provided*, That no pension shall accrue prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Francis Grinstead, alias Francis M. Grinstead."

ALASKAN STATISTICS.

The bill (S. 5211) to require the registration of vital statistics in the Territory of Alaska, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. The bill will go over.

NAVAL MEDICAL DEPARTMENT.

The bill (S. 5719) to increase the efficiency of the Medical Department of the United States Navy was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. The bill will go over.

CORBETT TUNNEL, WYO.

The bill (S. 4862) authorizing and directing the Secretary of the Interior to investigate and settle certain accounts, and for other purposes, was announced as next in order.

Mr. McCUMBER. I think the bill should go over.

Mr. MYERS. I was very much in hopes that that bill would be considered this evening, and unless the Senator has some serious objection to urge, I trust he will let it be passed. I have waited a long time to have it reached on the calendar.

Mr. McCUMBER. I withdraw the objection, as the Senator wishes to have it considered.

The bill was considered as in Committee of the Whole. It directs the Secretary of the Interior to investigate and determine the several amounts remaining unpaid on account of labor and material performed and furnished in the construction of the Corbett Tunnel, in the State of Wyoming, and to pay the same out of the reclamation fund to the persons to whom such several amounts may be found to be justly due.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPARTMENT OF HEALTH.

The bill (S. 1) to establish a department of health, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 6340) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the

Whole. It proposes to pension the following-named persons at the rates stated:

Michael Grace, late of Company A, Thirty-fourth Regiment United States Infantry, \$12.

Andrew J. Laws, late of Company C, Second Regiment Washington Mounted Volunteers, Oregon and Washington Territory Indian War, \$16.

John T. Peel, late of Company A, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, \$12.

Robert S. Kariho, late of Company E, Thirty-eighth Regiment United States Volunteer Infantry, War with Spain, \$30.

Perry L. Sargent, late of Company G, First Regiment Nebraska Volunteer Infantry, War with Spain, \$24.

Rachel T. Beck, widow of William H. Beck, late lieutenant colonel Third Regiment United States Cavalry, and brigadier general, United States Army, \$50.

Arthur W. S. Maw, late of Company E, Fourteenth Regiment United States Cavalry, and Company I, Fourth Regiment United States Infantry, \$20.

William H. Sterling, late of Company K, First Regiment Colorado Volunteer Infantry, War with Spain, \$30.

John Lehr, late of Company D, Third Regiment New Jersey Volunteer Infantry, War with Spain, \$12.

Willson G. Nowers, late of Capt. Hancock's company of Cavalry, Nauvoo Legion, Utah Volunteers, Utah Indian war, \$16.

Winfield S. Gibbs, late of Capt. John Guess's company, Minute Men, Second Regiment Oregon Mounted Volunteers, \$16.

Marcellus Moore, late of Capt. Bagby's company, Texas Mounted Volunteers, Texas and New Mexico Indian war, \$16.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PONCA INDIANS.

The bill (S. 5169) authorizing the Ponca Tribe of Indians to intervene in the suit of the Omaha Indians in the Court of Claims, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

FIVE CIVILIZED TRIBES.

The bill (S. 6339) to adjust titles within the Five Civilized Tribes in Oklahoma, and for other purposes, was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 6369) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following-named persons at the rates stated:

Julius A. Pherson, late of Troop L, First Regiment United States Cavalry, \$30.

William R. Arnold, late of Company G, Thirteenth Regiment Kentucky Volunteer Cavalry, \$30.

William Comstock, late of Company C, Seventh Regiment Indiana Volunteer Infantry, \$36.

John B. Wilson, late of Company K, Fifth Regiment Tennessee Volunteer Cavalry, \$30.

Edward Clark, late of Company F, Seventy-ninth Regiment United States Colored Volunteer Infantry, \$24.

James D. Smith, late of Company D, Fifteenth Regiment Indiana Volunteer Infantry, \$30.

Jonas Schrock, late second lieutenant Company H, One hundred and seventy-first Regiment Pennsylvania Drafted Militia Infantry, \$24.

Thomas Tovey, late of Company B, Fifteenth Regiment Illinois Volunteer Infantry, \$30.

Amos Hoy, late of Company H, Third Regiment West Virginia Volunteer Cavalry, \$24.

Andy Phillips, late of Company I, Eleventh Regiment West Virginia Volunteer Infantry, \$30.

Hiram S. Shahan, late of Company G, Sixth Regiment West Virginia Volunteer Cavalry, \$24.

Charles W. Read, late of Company H, Fourteenth Regiment Michigan Volunteer Infantry, \$30.

Mary C. Greene, widow of Charles A. Greene, late of Company A, Thirteenth Regiment Wisconsin Volunteer Infantry, \$20.

Elias Shaffer, late of Company C, Thirty-eighth Regiment, and Company I, Eighteenth Regiment, Ohio Volunteer Infantry, \$30.

Daniel G. Bowles, late of Company C, Forty-seventh Regiment Kentucky Volunteer Infantry, \$30.

Dudley C. Rutledge, late of Company I, Thirteenth Regiment Kansas Volunteer Infantry, \$30.

Orson P. Matthews, late of Company A, First Regiment Oregon Volunteer Cavalry, \$24.  
 Joseph W. Frank, late of Company D, Fourth Regiment Iowa Volunteer Cavalry, \$50.  
 Thomas D. Dick, late of Company C, Third Regiment Kentucky Volunteer Infantry, and Battery A, Kentucky Volunteer Light Artillery, \$30.  
 Junius T. Turner, late of Company E, Second Regiment Massachusetts Volunteer Cavalry, and captain Company F, Third Regiment Maryland Volunteer Cavalry, \$36.  
 Sagarlin C. Knighton, late of Company E, First Regiment Oregon Volunteer Infantry, \$24.  
 John Dixon, late of Company E, Thirty-seventh Regiment Kentucky Volunteer Infantry, \$24.  
 Martin Ouderkirk, late of Company F, Eighty-sixth Regiment Illinois Volunteer Infantry, \$30.  
 Ellwood A. Collins, late of Company A, Seventeenth Regiment Pennsylvania Volunteer Cavalry, \$20.  
 James P. Cassidy, late of Company C, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, \$24.  
 Hannah S. Caward, widow of David C. Caward, late second lieutenant Company F, Fiftieth Regiment United States Colored Volunteer Infantry, \$20.  
 Benjamin Ricards, late of Company B, Ninety-fifth Regiment Ohio Volunteer Infantry, \$30.  
 James M. Fogleman, late of Company I, Sixty-third Regiment Indiana Volunteer Infantry, \$30.  
 Robert B. Baldwin, late of Company C, Fifty-fifth Regiment Ohio Volunteer Infantry, \$30.  
 Samuel T. Bennett, late of Company F, Sixteenth Regiment New York Volunteer Heavy Artillery, \$24.  
 Andrew J. Mowery, late second lieutenant Company C, Fourteenth Regiment Kansas Volunteer Cavalry, \$30.  
 Jacob Wible, late of Company E, Eighty-ninth Regiment Indiana Volunteer Infantry, \$40.  
 Thomas V. McConn, late of Company K, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, \$24.  
 Bradford L. Hollenbeck, late of Company E, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, \$24.  
 William Smith, late of Company L, Fourteenth Regiment Pennsylvania Volunteer Cavalry, \$30.  
 Jacob Bauer, late of Company C, Thirteenth Regiment Wisconsin Volunteer Infantry, \$30.  
 George S. Arnold, late of Company D, Thirteenth Regiment West Virginia Volunteer Infantry, \$30.  
 Alexander J. Matthews, late of Company F, Twenty-first Regiment, and Company F, Third Regiment, Wisconsin Volunteer Infantry, \$30.  
 Ira McCall, late of Company G, Second Regiment Wisconsin Volunteer Cavalry, \$30.  
 Charles E. Tenant, late of Company D, Thirty-second Regiment, and Company D, Sixteenth Regiment, Wisconsin Volunteer Infantry, \$30.  
 William G. Baldwin, late of Company G, Fifty-fifth Regiment Illinois Volunteer Infantry, \$30.  
 Alexander H. Farmer, late second lieutenant Company H, Thirty-second Regiment Kentucky Volunteer Infantry, \$36.  
 Richard Fossett, late of Company F, Fifty-first Regiment Indiana Volunteer Infantry, \$36.  
 Henrietta S. Kimball, widow of Abner D. Kimball, late of Company I, Ninety-ninth Regiment, and assistant surgeon, Forty-eighth Regiment, Indiana Volunteer Infantry, \$20.  
 Samuel Welch, late of Company H, Fifteenth Regiment West Virginia Volunteer Infantry, \$24.  
 Samuel Mooney, late of Company E, Thirty-ninth Regiment Ohio Volunteer Infantry, \$30.  
 Joseph H. Lanam, late of Company H, Nineteenth Regiment Iowa Volunteer Infantry, \$50.  
 John L. Mellender, late of Company H, Twenty-eighth Regiment Pennsylvania Volunteer Infantry, \$20.  
 William M. C. Hix, late of Company H, One hundred and thirty-seventh Regiment, and Company B, Fourteenth Regiment, Illinois Volunteer Infantry, \$30.  
 Margaret Shamp, widow of Carlton T. Shamp, late of Company K, Twenty-first Regiment Missouri Volunteer Infantry, \$20.  
 Martin Dolsby, late of Company G, Thirty-third Regiment Indiana Volunteer Infantry, \$30.  
 James A. Wood, late of Company H, Eleventh Regiment West Virginia Volunteer Infantry, \$36.  
 James M. Hopper, late of Company G, Third Regiment, and Company K, Seventh Regiment, Missouri State Militia Cavalry, \$30.  
 John Barker, late of Company G, Fifteenth Regiment Kansas Volunteer Cavalry, \$24.

Hiram F. Reel, late of Company A, Fourth Regiment Iowa Volunteer Cavalry, \$30.  
 Charles Blair, late of Company D, Thirteenth Regiment Kansas Volunteer Infantry, \$30.  
 James S. Sutherland, late of Company C, Eleventh Regiment Kentucky Volunteer Cavalry, \$50.  
 William A. Smith, late of Company C, Nineteenth Regiment Iowa Volunteer Infantry, \$30.  
 Daniel Keene, late of Company B, Sixty-seventh Regiment, and Company F, Sixty-fifth Regiment, United States Colored Volunteer Infantry, \$30.  
 Edward Mills, late of Company G, One hundred and fifty-first Regiment Illinois Volunteer Infantry, \$30.  
 Reuben H. Neff, late of Company F, Third Regiment Iowa Volunteer Cavalry, \$30.  
 Ebenezer Miller, late of Company E, Eighty-ninth Regiment Indiana Volunteer Infantry, \$30.  
 Jesse Jones, late of Company D, Eighty-third Regiment Ohio Volunteer Infantry, \$30.  
 Harrison Presson, late first lieutenant Company F, Fifty-fifth Regiment Illinois Volunteer Infantry, \$50.  
 James O. McCabe, late of Company K, One hundred and first Regiment New York Volunteer Infantry, \$30.  
 Jeremiah W. Hancock, late of Company D, Sixty-third Regiment Indiana Volunteer Infantry, \$36.  
 Joseph Vannest, late of Company I, One hundred and first Regiment Ohio Volunteer Infantry, \$40.  
 Samuel S. Weaver, late of Company E, Twenty-seventh Regiment Indiana Volunteer Infantry, \$50.  
 Henry Blaise, late of Company D, Eighth Regiment United States Infantry, \$30.  
 Samuel Priest, late of Company G, First Regiment Wisconsin Volunteer Cavalry, \$24.  
 Samuel J. Ellis, late of Company C, Forty-first Regiment Wisconsin Volunteer Infantry, \$20.  
 Ephraim Leasure, late of Company E, Fourteenth Regiment West Virginia Volunteer Infantry, \$30.  
 Braden Zeigler, late of Company B, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, \$24.  
 John McQuown, late of Company F, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, \$24.  
 John Lay, late of Company K, Twelfth Regiment Kentucky Volunteer Infantry, \$30.  
 John Thompson, late of Company L, Second Regiment New York Volunteer Cavalry, \$30.  
 James H. Barrelle, late of Company D, Eleventh Regiment, and Company G, Eighth Regiment, Illinois Volunteer Infantry, \$30.  
 Edward Kendall, late of Company A, Eleventh Regiment Pennsylvania Volunteer Cavalry, \$30.  
 Benjamin F. Hudson, late first lieutenant and adjutant Forty-sixth Regiment United States Colored Volunteer Infantry, \$30.  
 Charles J. Strain, late unassigned, Sixty-second Regiment Illinois Volunteer Infantry, and Eightieth Company, Second Battalion Veteran Reserve Corps, \$30.  
 Charles Bennett, late of Company B, One hundred and twenty-seventh Regiment, and Company A, Fifty-fifth Regiment, Illinois Volunteer Infantry, \$30.  
 Thomas Dougherty, late of Companies H and D, Seventh Regiment Kentucky Volunteer Infantry, \$30.  
 William Manely, late of Company K, Twelfth Regiment Iowa Volunteer Infantry, \$24.  
 Charles Sponsler, late of Company B, Nineteenth Regiment Indiana Volunteer Infantry, \$30.  
 Elihu Eversole, late of Company B, Eighth Regiment Kentucky Volunteer Infantry, \$30.  
 Toller Peterson, late of Company G, Thirteenth Regiment Wisconsin Volunteer Infantry, \$30.  
 George W. Jones, late of Company A, Twelfth Regiment Kentucky Volunteer Infantry, \$30.  
 Margaret Williamson, widow of John Williamson, late of Company B, Second Regiment Pennsylvania Volunteer Heavy Artillery, \$20.  
 Abraham Smock, late of Company D, Fifth Independent Battalion Ohio Volunteer Cavalry, \$24.  
 Izora E. Dwire, widow of Hiram Dwire, late of Company G, One hundred and sixty-fourth Regiment Ohio National Guard Infantry, and former widow of John Davis, late of Company A, One hundred and twenty-third Regiment Ohio Volunteer Infantry, \$12.  
 George W. Rowley, late of Company H, Tenth Regiment Connecticut Volunteer Infantry, \$24.  
 James M. Martz, late of Company C, Seventy-ninth Regiment Indiana Volunteer Infantry, \$30.



James Miles, late of the Fourteenth Battery, Indiana Volunteer Light Artillery, \$30.

James E. Fuller, late first lieutenant Company E, Eleventh Regiment Connecticut Volunteer Infantry, and captain and assistant quartermaster, United States Volunteers, \$30.

Andrew G. McAusland, late of Company D, Second Regiment Nebraska Volunteer Cavalry, \$30.

Benjamin F. Charles, late of Company A, Nineteenth Regiment Maine Volunteer Infantry, \$30.

John M. Swain, late of Company E, One hundred and thirty-seventh Regiment Indiana Volunteer Infantry, \$24.

James Maull, late of Company C, Forty-fifth Regiment United States Colored Volunteer Infantry, \$24.

Philip R. Grund, late lieutenant colonel Forty-fourth Regiment Indiana Volunteer Infantry, \$40.

Mattie B. Wintrobe, widow of Jehiel T. Wintrobe, late first lieutenant Company G, Seventy-sixth Regiment Ohio Volunteer Infantry, \$25.

Emmett A. Brockway, late of Company B, Thirty-fifth Regiment Iowa Volunteer Infantry, \$36.

Frederick Beckhorn, late of Company B, One hundred and seventh Regiment New York Volunteer Infantry, \$20.

William H. Miller, late of Company F, One hundred and fifth Regiment New York Volunteer Infantry, \$24.

Carrie Diefenbach, widow of Henry Diefenbach, late first lieutenant Company I, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, \$20.

Mary J. Mulholland, widow of St. Clair A. Mulholland, late colonel One hundred and sixteenth Regiment Pennsylvania Volunteer Infantry, \$30.

Emma P. Justison, widow of George C. Justison, late of Company A, Fifth Regiment, and Company E, Seventh Regiment, Delaware Volunteer Infantry, \$12.

Gardner P. Waterhouse, late of Company K, Thirteenth and Thirtieth Regiments Maine Volunteer Infantry, \$30.

William Marquet, late of Company M, Seventeenth Regiment Illinois Volunteer Cavalry, \$30.

Kittil Torgerson, late of Second Battery Minnesota Volunteer Light Artillery, \$50.

Michael Hiltl, late of Company E, Forty-fourth Regiment Illinois Volunteer Infantry, \$24.

Charles R. Spicer, late of Company B, Sixth Regiment Iowa Volunteer Cavalry, \$24.

George F. Green, late of Company E, First Regiment New Hampshire Volunteer Heavy Artillery, \$24.

Ira Grant, late of Company H, Forty-ninth Regiment Indiana Volunteer Infantry, \$30.

Daniel C. Stevens, late of Battery G, First Regiment Rhode Island Volunteer Light Artillery, \$30.

Reuben H. Rich, late first lieutenant Battery G, First Regiment Rhode Island Volunteer Light Artillery, \$30.

John S. Lewis, late of Company L, Eighth Regiment Missouri Volunteer Cavalry, \$24.

Annie E. Loudon, widow of Samuel Loudon, late of Second Independent Battery Minnesota Volunteer Light Artillery, \$12.

Alma J. Van Winkle, widow of Edwin Van Winkle, late of Company C, One hundred and forty-eighth Regiment New York Volunteer Infantry, \$20.

Mary E. Franklin, widow of Asa Franklin, late first lieutenant Company A, Twenty-sixth Regiment Iowa Volunteer Infantry, \$20.

John W. Shear, late of Company A, First Regiment District of Columbia Volunteer Cavalry, \$30.

Joseph F. Kendall, late first lieutenant Company H, Twelfth Regiment Maine Volunteer Infantry, \$30.

Edward M. Hitchcock, late of Companies C and M, First Regiment Michigan Volunteer Cavalry, \$50.

Eben Kneeland, late of Company F, Thirty-second Regiment Massachusetts Volunteer Infantry, and Twenty-first Company, Second Battalion Veteran Reserve Corps, \$24.

Clement Lovely, late of Company G, Fourth Regiment Minnesota Volunteer Infantry, \$24.

Elizabeth Polley, widow of Pleasant J. Polley, late of Company G, Fourth Regiment Kentucky Volunteer Infantry, \$12.

Elizabeth E. Donaldson, widow of Wayne Donaldson, late of Company I, Fourth Regiment Minnesota Volunteer Infantry, \$12.

James A. Morgan, late of Company H, Eighth Regiment New Hampshire Volunteer Infantry, \$40.

Jesse H. Conrad, late of Company M, Twenty-fourth Regiment New York Volunteer Cavalry, and Company M, First Regiment New York Provisional Volunteer Cavalry, \$24.

Noah A. Decker, late of Company G, Fifth Regiment Wisconsin Volunteer Infantry, \$24.

Frederick W. Zwickley, late of Company E, Eleventh Regiment Minnesota Volunteer Infantry, \$24.

Thomas C. Kinsey, late of Company G, Seventh Regiment Pennsylvania Volunteer Cavalry, and Company H, First Regiment Delaware Volunteer Infantry, \$30.

Laura B. Stiles, widow of Wilbur A. Stiles, late of Company D, Sixth Regiment Vermont Volunteer Infantry, \$20.

Moses D. Marshall, late of Company A, One hundred and eighty-sixth Regiment Pennsylvania Volunteer Infantry, \$24.

Martin B. Monroe, late second lieutenant Company K, Second Regiment New Jersey Volunteer Infantry, \$36.

Eugene Besancon, late of Company B, Second Regiment New York Volunteer Mounted Rifles, \$24.

Rufus G. Barber, late of Company B, First Regiment Vermont Volunteer Cavalry, \$30.

Horace A. Foster, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, \$30.

Samuel B. Baker, late of Company I, Thirteenth Regiment Illinois Volunteer Cavalry, \$30.

James Jordan, late of Company D, Thirty-fifth Regiment Missouri Volunteer Infantry, \$30.

James H. Crosser, late of Company D, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, \$30.

John Clark, late of Company I, Twenty-first Regiment Iowa Volunteer Infantry, \$40.

Leonard C. Norton, late of Company H, Third Regiment Wisconsin Volunteer Infantry, \$30.

Gott Latlip, late of Company H, Twenty-ninth Regiment Maine Volunteer Infantry, \$30.

James M. Lurvey, late of Company A, Fortieth Regiment Massachusetts Volunteer Infantry, \$30.

Fanny M. Jones, widow of Charles C. Jones, late acting master's mate, United States Navy, \$20.

William E. Henry, late of Company A, Ninth Regiment Tennessee Volunteer Cavalry, \$24.

Rachel Hagan, widow of Lawrence Hagan, late of Company G, Twentieth Regiment Kentucky Volunteer Infantry, and Company D, Sixth Regiment Kentucky Volunteer Cavalry, \$20.

Mary C. Riley, widow of Charles Riley, late captain Company F, Thirty-fourth Regiment New York Volunteer Infantry, \$30.

Nathaniel M. Milliken, late of Company F, Twenty-seventh Regiment Maine Volunteer Infantry, \$24.

William J. Gardner, late of Company D, Twenty-second Regiment, and Company D, Twenty-ninth Regiment, Michigan Volunteer Infantry, \$24.

John Bowman, late of U. S. S. *Ohio*, *Vermont*, and *Savannah*, United States Navy, \$30.

Willard M. White, late of Company I, Twenty-second Regiment Connecticut Volunteer Infantry, \$30.

Mr. McCUMBER. On page 13 I move to strike out lines 15 to 18, inclusive, the beneficiary having died since the report was made.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 13, strike out lines 15 to 18, inclusive, in the following words:

The name of Samuel Priest, late of Company G, First Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### YELLOWSTONE RIVER BRIDGE, MONTANA.

The bill (S. 6161) to authorize the Great Northern Railway Co. to construct a bridge across the Yellowstone River, in the county of Dawson, State of Montana, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### TUG FORK BRIDGE, WEST VIRGINIA.

The bill (S. 6167) to authorize the Williamson & Pond Creek Railroad Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near Williamson, Mingo County, W. Va., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MISSOURI RIVER BRIDGE, NORTH DAKOTA.

The bill (S. 6160) to authorize the Great Northern Railway Co. to construct a bridge across the Missouri River in the State of North Dakota, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## DISTRICT ATTORNEY, EASTERN DISTRICT OF LOUISIANA.

The bill (S. 1590) providing for an increase of salary for the United States district attorney for the eastern district of Louisiana was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

## CHOCTAW AND CHICKASAW LANDS.

The bill (S. 6219) providing for the purchase of permanent improvements on the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations by the citizens erecting such improvements was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

## PENSIONS AND INCREASE OF PENSIONS.

The bill (S. 6384) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and to certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following-named persons at the rates stated:

Martin Markeson, late of Company F, Thirty-fifth Regiment United States Volunteer Infantry, War with Spain, \$12.

Rebecca Strouther, dependent mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, \$12.

Frederick S. Barrows, jr., late of Company K, Third Regiment Wisconsin Volunteer Infantry, War with Spain, \$12.

Maggie Boutiette, widow of Cyril Boutiette, late scout and guide, United States Army, \$12.

William H. Hinkel, late of Troop H, Fifth Regiment United States Cavalry, \$30.

William C. Emison, late of Company L, One hundred and fifty-ninth Regiment Indiana Volunteer Infantry, War with Spain, \$20.

William A. Hickok, late of Company D, Third Regiment Wisconsin Volunteer Infantry, War with Spain, \$10.

William Quinlivan, late of Troop A, First Regiment United States Cavalry, \$20.

Mary Meade Sands, widow of James H. Sands, late captain and rear admiral, United States Navy, \$50.

Francis M. Tibbetts, late of Capt. W. W. Chapman's Company I, Second Regiment Oregon Volunteers, Oregon and Washington Territory Indian War, \$16.

William E. Bailey, late of Company A, Tenth Regiment Ohio Volunteer Infantry, War with Spain, \$20.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## SABINE-NECHES CANAL BRIDGE.

The bill (H. R. 21960) to authorize the Port Arthur Pleasure Pier Co. to construct a bridge across the Sabine-Neches Canal, in front of the town of Port Arthur, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## SECOND HOMESTEAD ENTRIES.

The bill (S. 4580) to permit second homestead entries in certain cases was announced as next in order.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. It will go over.

Mr. McCUMBER. Let me ask the Senator from Illinois if he wants to have an executive session now.

Mr. CULLOM. I will let the Senate get further along with the calendar before I make the motion.

Mr. McCUMBER. I do not care about going on further with the calendar now.

Mr. CULLOM. I want to go a little further with it.

Mr. McCUMBER. All right.

## AGRICULTURAL ENTRIES ON COAL LANDS.

The bill (H. R. 8784) to supplement the act of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," was announced as next in order.

Mr. BORAH. Let that go over.

The VICE PRESIDENT. It will go over.

Mr. WARREN. We passed almost an identical bill two days ago.

Mr. BORAH. Very well; I will withdraw the objection.

Mr. WARREN. I ask that this bill may be put on its passage, because it is a House bill, and I want to have it go with the other.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that from

and after the passage of this act unreserved public lands of the United States, exclusive of Alaska, which have been withdrawn or classified as coal lands or are valuable for coal shall, in addition to the classes of entries or filings described in the act of Congress approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," be subject to selection by the several States within whose limits the lands are situate, under grants made by Congress, and to disposition, in the discretion of the Secretary of the Interior, under the laws providing for the sale of isolated or disconnected tracts of public lands, but there shall be a reservation to the United States of the coal in all such lands so selected or sold and of the right to prospect for, mine, and remove the same in accordance with the provisions of the act of June 22, 1910, and such lands shall be subject to all the conditions and limitations of that act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ADJUSTMENT OF CERTAIN INDIAN CLAIMS.

The bill (S. 5776) authorizing the Secretary of the Interior to adjust and settle the claims of the attorney of record involving certain Indian allotments, and for other purposes, was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to consider the claim of the attorney of record in the matter of the enrollment and allotment of lands to Virgil H., Willie A., and Oscar R. Esterbrook, minor children of Frank Esterbrook, and Pearl May, A. Ray, J. Otis, and Dora Edith Williams, minor children of C. O. Williams, enrolled members of the Cascade Band of Indians and allotted on the Yakima Reservation in the State of Washington, and to allow said attorney such fee as he may consider reasonable and just, and to pay the same out of any money standing to the credit of said minor children or which may hereafter become due them.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## BILLS PASSED OVER.

The bill (H. R. 20182) to amend "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909, was announced as next in order.

The VICE PRESIDENT. This is the chemical schedule tariff bill, and it will go over.

The bill (S. 6412) to regulate radiocommunication was announced as next in order.

Mr. BORAH. Let the bill go over.

The VICE PRESIDENT. The bill will go over.

The bill (S. 6156) to direct that Crittenden Street NW., between Iowa Avenue and Seventeenth Street NW., be stricken from the plan of the permanent system of highways for the District of Columbia was announced as next in order.

Mr. McCUMBER. Let the bill go over.

The VICE PRESIDENT. It will go over.

The next business on the calendar was the joint resolution (S. J. Res. 99) authorizing the President to reassemble the court-martial which on August 16, 1911, tried Ralph I. Sasse, Ellicott H. Freeland, Tattnell D. Simpkins, and James D. Christian, cadets of the Corps of Cadets of the United States Military Academy, and sentenced them.

Mr. McCUMBER. Let that go over.

The VICE PRESIDENT. The joint resolution will go over.

## PUBLIC BUILDING AT MONTE VISTA, COLO.

The bill (S. 3975) to acquire a site for a public building at Monte Vista, Colo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds, with an amendment, in line 8, before the word "thousand," to strike out "fifteen" and insert "ten," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, directed to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of Monte Vista, Colo., upon which to erect a public building to be used for a post office and for other Government offices, and that the total cost of the same shall not exceed \$10,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PUBLIC BUILDING AT FALLON, NEV.

The bill (S. 389) to authorize the acquisition of a site and the erection of a Federal building at Fallon, Nev., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 10, before the word



"thousand," to strike out "fifty" and insert "sixty," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site in Fallon, Nev., and to cause to be erected thereon a suitable building, with fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the accommodation of the post office and other Government offices, at a total limit of cost, including site, of \$60,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT CAMBRIDGE, MD.

The bill (S. 6177) for the purchase of a site and erection of a Federal building at Cambridge, Md., was considered as in Committee on the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post office and other Government offices in the city of Cambridge, Dorchester County, State of Maryland, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, not to exceed the sum of \$103,500.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT WINNEMUCCA, NEV.

The bill (S. 392) to authorize the acquisition of a site and the erection of a Federal building at Winnemucca, Nev., was considered as in Committee on the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 10, before the word "thousand," to strike out "fifty" and insert "sixty-five," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site in Winnemucca, Nev., and to cause to be erected thereon a suitable building, with fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the accommodation of the post office and other Government offices, at a total limit of cost, including site, of \$65,000, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT GLENWOOD SPRINGS, COLO.

The bill (S. 80) to acquire a site for a public building at Glenwood Springs, Colo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 8, before the word "thousand," to strike out "fifteen" and insert "ten," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of Glenwood Springs, Colo., upon which to erect a public building to be used for a post office and for other Government offices, and total cost of the same shall not exceed \$10,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MOUNT CARMEL, ILL.

The bill (S. 4479) to provide for the erection of a public building at Mount Carmel, Ill., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire for the United States, in the city of Mount Carmel and State of Illinois, in such manner as to him shall seem best, a suitable site and cause to be erected thereon a suitable building, with good modern improvements and conveniences, for the use and accommodation of the United States post office in that city, at a total cost of not more than \$75,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT BRATTLEBORO, VT.

The bill (S. 6095) to increase the limit of cost for the erection and completion of the United States post-office and court-

house building on a site already acquired and possessed at Brattleboro, Vt., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to have erected a suitable building for the use and accommodation of the United States post office and courthouse upon the site heretofore acquired and now possessed by the United States Government at the corner of Main and Grove Streets, in the town of Brattleboro, County of Windham, and State of Vermont, the cost of said building, including fireproof vaults, heating and ventilating system, office equipment, and approaches, complete, not to exceed the sum of \$115,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT UTICA, N. Y.

The bill (S. 5962) to increase the limit of cost of the addition to the site of the Federal building at Utica, N. Y., was considered as in Committee of the Whole. It increases the limit of cost for the enlargement of the site for the public building at Utica, N. Y., \$35,000, or so much thereof as may be necessary to acquire the remaining portion of the block now owned by the Government.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PROPERTY IN SAN FRANCISCO, CAL.

The bill (S. 6252) to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal., was considered as in Committee of the Whole. It proposes to amend the act entitled "An act to relinquish the title of the United States to certain property in the city and county of San Francisco, Cal.," approved August 11, 1876, as follows:

Strike out the words "to be used by the city and county of San Francisco solely for the purpose of a sailors' home: *Provided*, That if the same shall at any time be used for any other than the purpose aforesaid, or if said home shall not be opened within one year from the passage of this act, in each such case all right and title hereby relinquished shall revert back to and again vest in the United States," and insert in lieu thereof the following: "to be used by the city and county of San Francisco for such charitable purposes as its governing body shall determine," so that the act will read as follows:

"That all the right and title of the United States to the following-described property is hereby relinquished to the city and county of San Francisco, the same being the two 50-vara lots on which the old marine-hospital building now stands, fronting 275 feet on the north side of Harrison Street, between Spear and Main Streets, with a uniform depth of 137 feet and 6 inches, as laid down on the official map of the said city, to be used by the city and county of San Francisco for such charitable purposes as its governing body shall determine."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 18954) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, line 22, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Joseph L. Day, late of Company E, Eighth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 5, before the words "Company I," to insert "and," so as to make the clause read:

The name of James H. Werking, late of Company I, Thirty-sixth Regiment Indiana Volunteer Infantry, and Company I, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 14, before the word "dollars," to strike out "thirty-six" and insert "twenty-four," so as to make the clause read:

The name of Levi Taylor, late of Company K, Eighth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 22, to strike out:

The name of Mary E. Hitchcock, widow of Napoleon Hitchcock, late of Company C, Ninety-second Regiment Illinois Volunteer Infantry, and Company E, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 7, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of James P. Nesbitt, late of Company F, First Regiment Nebraska Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 8, line 13, after the word "late," to strike out "of" and insert "captain," so as to make the clause read:

The name of John Collar, late captain Company H, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 7, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Jacob Guy, late of Company D, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 6, to strike out:

The name of Adeline Summerville, widow of James J. Summerville, late of Company H, Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Homer McC. Summerville, helpless and dependent son of said Adeline Summerville, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Adeline Summerville the name of said Homer McC. Summerville shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Adeline Summerville.

The amendment was agreed to.

The next amendment was, on page 18, after line 8, to strike out:

The name of Mary A. Fox, dependent mother of Thomas L. Fox, late of Company G, One hundred and thirty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, after line 8, to strike out:

The name of Samuel A. Cooper, late of Company F, Second Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 12, after the word "late," to strike out "of" and insert "first lieutenant," so as to make the clause read:

The name of Ellen T. Dunne, widow of Patrick R. Dunne, late first Lieutenant Company D, One hundred and seventieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to strike out:

The name of Edward D. Bliss, dependent father of Edward D. Bliss, late of Company G, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, after line 8, to strike out:

The name of Jerome S. Pinney, late of Company G, Battalion, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 17, after the word "late," to strike out "of" and insert "second lieutenant"; and in line 20, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of William Dodds, late second Lieutenant Company H, Fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

Mr. McCUMBER. I move to strike out lines 13 to 16, inclusive, on page 8, the beneficiary having died since the bill was reported.

The VICE PRESIDENT. The amendment will be read.

The SECRETARY. On page 8 strike out lines 13 to 16, inclusive, in the following words:

The name of John Collar, late captain Company H, Twelfth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### COLVILLE INDIAN RESERVATION.

The next business on the calendar was the joint resolution (H. J. Res. 142) to declare and make certain the authority of the Attorney General to begin and maintain and of any court of competent jurisdiction to entertain and decide a suit or suits for the purpose of having judicially declared a forfeiture of the rights granted by the act entitled "An act granting to the Washington Improvement & Development Co. a right of way through the Colville Indian Reservation, in the State of Washington," approved June 4, 1898.

Mr. BORAH. I ask that the joint resolution may go over.

The VICE PRESIDENT. It will go over.

Mr. CULLOM. If that is the last bill—

Mr. McCUMBER. There is just one more bill on the calendar, and that is a pension bill.

The VICE PRESIDENT. There is but one more.

#### PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 18955) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment was, on page 2, after line 5, to strike out:

The name of Robert W. Ramsey, late of Company K, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 3, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Lewis B. Rex, late of Company E, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 24, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Wilson F. Ball, late of Company D, Ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to strike out:

The name of Edwin A. Pierce, late of Company E, Second Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 24, before the word "dollars," to strike out "twenty" and insert "twenty-four," so as to make the clause read:

The name of John S. Ponce, late of Company I, Fifty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to strike out:

The name of Edward Adams, late of Company F, Forty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 7, to strike out:

The name of Mary M. Heistler, former widow of Louis Steinback, late of Company I, Sixth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 7, line 7, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Samuel E. Johnson, late of Company H, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, line 11, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Nelson F. Abrams, late of Fourth Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 10, after line 4, to strike out:

The name of Hosea B. Brooks, late of Company G, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.



The next amendment was, on page 10, line 22, after the word "late," to insert "first lieutenant and," so as to make the clause read:

The name of Alfred B. Bradley, late first lieutenant and regimental quartermaster Eighty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

The name of George R. Scott, late of Company F, One hundred and eleventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, after line 4, to strike out:

The name of Michael Holland, late coal heaver, U. S. S. Onelda, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, line 5, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of John Bunting, late of Company I, Eighty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, line 18, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Adam Wolf, late of Company A, Forty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, line 23, before the word "dollars," to strike out "thirty-six" and insert "thirty," so as to make the clause read:

The name of Joseph H. Kirby, late of Company E, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 3, before the name "Hotton," to strike out "Joseph" and insert "James," so as to make the clause read:

The name of James Hotton, late of Company B, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, line 14, before the word "dollars," to strike out "twenty" and insert "twenty-four," so as to make the clause read:

The name of Merlin L. Kirby, late of Company A, Eighth Regiment Tennessee Mounted Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 2, to strike out:

The name of Dora Stevens, widow of Jotham G. Stevens, late of Company L, Eighth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 19, line 1, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Robert Schumann, late of Second Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, line 15, before the letter "H," to strike out the letter "J" and insert the name "Jay," so as to make the clause read:

The name of Jay H. Phelps, late of Company M, First Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, line 22, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Philip Main, late of Company H, One hundred and thirty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 21, line 14, before the word "dollars," to strike out "twenty" and insert "twenty-four," and in line 17, before the name "Williamson," to strike out the name "Sarah Ann" and insert "Horace," so as to make the clause read:

The name of Sarah Ann Williamson, widow of Horace Williamson, late of Seventh Independent Battery, Ohio Volunteer Light Artillery,

and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Edna May Williamson, helpless and dependent child of said Horace Williamson, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah Ann Williamson the name of said Edna May Williamson shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Sarah Ann Williamson.

The amendment was agreed to.

The next amendment was, on page 23, line 12, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the clause read:

The name of Darius Cook, late of Company A, Ninth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 22, after the word "late," to insert "first lieutenant and," and in line 25, before the word "dollars," to strike out "thirty-six" and insert "twenty," so as to make the clause read:

The name of George S. Bristol, late first lieutenant and regimental quartermaster Twelfth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, after line 10, to strike out: The name of James Rayburn, late of Company A, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, line 14, to strike out:

The name of John W. Arthur, late of Company A, Second Battalion Ohio Volunteer Cavalry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 26, line 17, after the word "late," to strike out "of" and insert "captain," so as to make the clause read:

The name of Sarah A. Milton, widow of James H. F. Milton, late captain Company A, Fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, line 14, before the name "Kemp," to strike out the name "Susan" and insert "William H.," so as to make the clause read:

The name of Susan Kemp, widow of William H. Kemp, late of Company A, One hundred and sixty-ninth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Cora M. Kemp, helpless and dependent child of said William H. Kemp, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Susan Kemp, the name of said Cora M. Kemp shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Susan Kemp.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ANNIVERSARY CELEBRATION OF ACT OF EMANCIPATION (S. DOC. NO. 602).

Mr. BRADLEY. Mr. President, I desire to ask that the proceedings of the Senate on April 2, on the bill (S. 180) providing for the celebration of the semicentennial anniversary of the act of emancipation, and for other purposes, be published as a Senate document.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and the order is entered.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 24, 1912, at 2 o'clock p. m.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 23, 1912.*

#### CHIEF OF CHILDREN'S BUREAU.

Julia C. Lathrop to be Chief of the Children's Bureau in the Department of Commerce and Labor.

## COLLECTOR OF INTERNAL REVENUE.

Manuel B. Otero to be collector of internal revenue for the district of New Mexico.

## PROMOTIONS IN THE ARMY.

## INFANTRY ARM.

Lieut. Col. Lyman W. V. Kennon to be colonel.  
 Lieut. Col. Charles G. Morton to be colonel.  
 Lieut. Col. Abner Pickering to be colonel.  
 Maj. William H. Johnston to be lieutenant colonel.  
 Maj. Benjamin W. Atkinson to be lieutenant colonel.  
 Maj. Fielder M. M. Beall to be lieutenant colonel.  
 Capt. Palmer E. Pierce to be major.  
 Capt. Charles G. French to be major.  
 Capt. Lutz Wahl to be major.  
 First Lieut. Philip Powers to be captain.  
 First Lieut. Frank C. Burnett to be captain.  
 First Lieut. Collin H. Ball to be captain.  
 Second Lieut. Herndon Sharp to be first lieutenant.  
 Second Lieut. Eugene Santschi, jr., to be first lieutenant.  
 Second Lieut. William A. Ganoe to be first lieutenant.  
 Second Lieut. Elmer F. Rice to be first lieutenant.

## PAY DEPARTMENT.

Lieut. Col. Hamilton S. Wallace to be Assistant Paymaster General with the rank of colonel.

## MEDICAL CORPS.

Lieut. Col. William Stephenson to be colonel.  
 Lieut. Col. John L. Phillips to be colonel.  
 Maj. Henry A. Shaw to be lieutenant colonel.  
 Maj. Francis A. Winter to be lieutenant colonel.  
 Capt. William R. Eastman to be major.  
 Capt. James F. Hall to be major.

## APPOINTMENTS IN THE ARMY.

## MEDICAL RESERVE CORPS.

## To be first lieutenants.

Bertram Moses Bernheim.  
 Joseph Hammond Bryan.  
 Oliver Howard Campbell.  
 George Henry Fox.  
 Charles Howard Goodrich.  
 Francis Randall Hagner.  
 Charles Henry Hunt.  
 William Edwin Luter.  
 Henry Houston Ogilvie.  
 Elliott Coues Prentiss.  
 Edwin Pliny Seaver, jr.  
 George Messick Selby.  
 Frank Marion Sprague.  
 Gustave Herman Taubles.  
 Thomas Jones Walthall.  
 James Herbert Lawson.  
 Albert West Metcalf, jr.  
 Louis Anthony Meraux.

## CHAPLAIN.

Rev. James Miles Webb to be chaplain with the rank of first lieutenant.

## POSTMASTERS.

## GEORGIA.

M. M. McCranie, Sparks.

## NEW YORK.

John T. Dare, Patchogue.

## PENNSYLVANIA.

John W. Chamberlain, Wyalusing.  
 Jennie M. Smith, Coal Center.

## SOUTH CAROLINA.

George M. Collins, Due West.

## TENNESSEE.

O. L. Hicks, Newport.  
 Robert H. McNeely, Humboldt.  
 Isham A. Watson, Sevierville.

## WEST VIRGINIA.

C. B. Stewart, Northfork.

## REJECTION.

*Executive nomination rejected by the Senate April 23, 1912.*

## POSTMASTER.

## SOUTH CAROLINA.

Julia E. D. Tolbert, Ninety Six.

## HOUSE OF REPRESENTATIVES.

TUESDAY, April 23, 1912.

The House met at 10.30 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and eternal spirit, God our heavenly Father, from whom cometh all wisdom, power, and goodness. It is written, "Not everyone that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven."

Pour out upon us, we beseech Thee, abundantly of these precious gifts, that amid the conflicting elements without and the contending forces within we may do Thy will as it is given us to know it, and thus measure up to the standard of manhood in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

## REPRINT OF REPORT AND RULE ON POST OFFICE APPROPRIATION BILL.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent that the report on the Post Office appropriation bill (H. R. 21279) and the special rule that was adopted be printed in the Record. A good many Members want them, and the print is about exhausted, I understand.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the report on the Post Office appropriation bill, together with the rule that was adopted April 18, be printed in the CONGRESSIONAL RECORD for the information of Members. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the resolution, of course, has already been printed in the Record. Does the gentleman think it necessary to reprint the resolution?

Mr. MOON of Tennessee. The resolution, I understand, was printed in part in a fragmentary way.

Mr. MANN. It was printed in full, but if there is need I shall not object.

Mr. MOON of Tennessee. If it is already printed in the Record, I will not include that in the request, as I would not want it printed, and I will ask only to have the report printed. Leave was given once before.

The SPEAKER. Is there objection?

Mr. FOSTER. Mr. Speaker, I thought the gentleman from Tennessee had withdrawn his request.

Mr. MOON of Tennessee. No; I did not except as to the rule. The gentleman from Illinois says the rule is already printed in the Record in full at one place, and I was not aware of that fact.

The SPEAKER. The gentleman from Tennessee modifies his request as to the rule. Is there objection? The Chair hears none, and it is so ordered.

The report is as follows:

[House Report No. 388, Sixty-second Congress, second session.]

## POST OFFICE APPROPRIATION BILL.

Mr. Moon of Tennessee, from the Committee on the Post Office and Post Roads, submitted the following report to accompany H. R. 21279: The Committee on the Post Office and Post Roads, in presenting the bill making appropriations for the Post Office Department for the fiscal year ending June 30, 1913, beg to submit the following explanation thereof: The estimates covering this bill may be found on pages 365, 366, 367, 368, 369, 370, and 371 of the Book of Estimates, and in the revised estimates submitted by the Postmaster General; an aggregate of \$261,180,063. The committee recommends \$259,827,749, a decrease in amount of final department estimates of \$1,352,314.

The other departments of the Government yield but little, if any, revenue. The Post Office Department yields nearly all the revenue necessary to meet the appropriations made for the service. The report of the Postmaster General shows a small surplus for the fiscal year ending June 30, 1911, based on the audited accounts to that date, but later audited expenditures chargeable to the same fiscal year show a deficit.

[From the report of the Auditor for the Post Office Department to the Postmaster General up to and including June 30, 1911.]

## POSTAL REVENUES AND EXPENDITURES.

The audited revenues of the postal service stated from July 1, 1910, to June 30, 1911, amounted to \$237,879,823.60; the audited expenditures, \$237,648,926.68; excess of revenues over expenditures, \$230,896.92; deducting \$11,778.80, postal funds lost by fire, burglary, etc., the postal surplus is \$219,118.12.

Comparison of postal revenues and expenditures, fiscal years 1910 and 1911. [Stated to June 30, 1911.]

Fiscal years.	Audited postal revenues.	Audited postal expenditures.	Postal funds lost by fire, burglary, etc.	Postal surplus.	Postal deficit.
1911.....	\$237,879,823.60	\$237,648,926.68	\$11,778.80	\$219,118.12	
1910.....	224,128,657.62	229,977,224.50	32,915.07		\$5,881,481.95
Increase.....	13,751,165.98	7,671,702.18			
Decrease.....			21,136.27		
Per cent of increase.....	6.13+	3.33+			



Comparative table by years.

Year.	Appropriation.	Receipts.	Expenditures.	Deficiency.
1897.....	\$92,571,564.22	\$82,665,462.73	\$94,077,242.33	\$11,411,777.65
1898.....	85,655,333.75	89,012,618.55	98,033,523.61	9,020,905.06
1899.....	99,202,300.75	95,021,384.17	101,632,160.92	6,610,778.75
1900.....	105,627,138.75	102,354,579.29	107,740,267.99	5,385,688.70
1901.....	113,638,233.75	111,631,193.39	115,554,092.87	3,923,727.45
1902.....	123,732,688.75	121,848,047.26	124,785,697.07	2,937,649.81
1903.....	138,416,598.75	134,224,443.24	138,784,487.97	4,560,044.73
1904.....	153,511,549.75	143,582,624.34	152,362,116.70	8,779,492.36
1905.....	170,845,993.75	152,826,585.10	167,399,169.23	14,572,584.13
1906.....	181,022,693.75	167,932,783.00	178,449,779.00	10,516,986.00
1907.....	191,670,998.75	183,585,005.57	189,935,242.79	6,350,237.22
1908.....	212,091,193.00	191,478,663.41	208,351,886.15	16,873,292.74
1909.....	222,960,892.00	203,562,383.07	221,004,102.89	17,441,719.82
1910.....	234,692,370.00	224,128,657.62	229,977,224.50	5,848,566.88
1911.....	243,907,020.00	237,879,823.00	238,507,069.54	627,845.94
1912.....	258,352,713.00			

The figures in above table of receipts and expenditures for the fiscal year 1911 cover all audited expenditures on account of that year up to February 17, 1912, as shown by the appended letter from the Auditor for the Post Office Department, with the \$25,000 estimated by the auditor, and stated in the closing paragraph of his letter, added. These final figures from the auditor show a deficit in the department for the fiscal year 1911 of \$627,845.94, instead of a surplus of \$219,118.12, as stated in the table next preceding the comparative table by years.

TREASURY DEPARTMENT,  
OFFICE OF AUDITOR FOR POST OFFICE DEPARTMENT,  
Washington, February 21, 1912.

Hon. JOHN A. MOON,  
Chairman Committee on the Post Office and Post Roads,  
House of Representatives.

Sir: Replying to your letter of this date requesting to be furnished with the total revenues of the Post Office Department for the fiscal year 1911, stated from July 1, 1910, to June 30, 1911, and the total expenditures on account of the fiscal year 1911 up to January, 1912, or to date, I have to advise you that the audited revenues of the postal service for the period July 1, 1910, to June 30, 1911, aggregated \$237,879,823.60, and the audited expenditures on account of the fiscal year 1911 during the same period aggregated \$230,516,814.45.

The audited expenditures on account of the fiscal year 1911, during the period July 1, 1911, to September 30, 1911, aggregated \$7,394,272.72. During the period October 1, 1911, to February 17, 1912, payments have been made by warrant aggregating \$571,582.37, making the total audited expenditures on account of the fiscal year 1911, during the period July 1, 1910, to February 17, 1912, \$238,482,669.54.

It is impossible at this date to state the expenditures made by postmasters on account of the fiscal year 1911 during the period subsequent to September 30, 1911, for the reason that the quarterly accounts of postmasters for the period October 1, 1911, to December 31, 1911, have not been finally audited. It is estimated, however, that the expenditures made by postmasters during the period October 1, 1911, to December 31, 1911, on account of the fiscal year 1911, will not amount to more than \$20,000 or \$25,000.

Respectfully,

CHAS. A. KRAM, Auditor.

Post Office appropriation bill, 1913.

	Appropriation for 1912.	Estimates for 1913.	Committee recommends for 1913.
<b>POSTMASTER GENERAL.</b>			
Advertising.....	\$1,500		
Rent suitable buildings.....	34,400	\$34,400	\$34,400
Gas, electric power, etc.....	5,900	5,900	5,000
Post-office inspectors:			
Salaries.....	704,450	704,450	704,450
Per diem.....	287,400	271,400	261,400
Clerks at headquarters.....	99,000	99,000	99,000
Traveling expenses.....	31,400	41,400	31,400
Livery hire.....	45,000	45,000	45,000
Miscellaneous expenses.....	5,000	7,500	5,000
Payment of rewards.....	22,573	15,000	15,000
Investigating and testing labor-saving devices.....	10,000	10,000	10,000
Rewards to postal employees for inventions.....		10,000	
Travel expenses.....	1,000	1,000	1,000
Total.....	1,247,623	1,245,050	1,211,650
<b>FIRST ASSISTANT POSTMASTER GENERAL.</b>			
Compensation to postmasters.....	29,300,000	30,200,000	30,000,000
Compensation to assistant postmasters.....	2,800,000	3,000,000	3,000,000
Compensation to clerks and employees.....	35,900,000	37,700,000	37,878,250
Compensation to printers, mechanics, etc.....	44,600	44,600	44,600
Compensation to watchmen, messengers, etc.....	900,000	975,000	900,000
Compensation to clerks in charge contract stations.....			
Do.....	330,000	330,000	330,000
Compensation to substitutes, first and second class offices.....	600,000	600,000	600,000
Temporary and auxiliary clerk hire.....	125,000	175,000	175,000
Separating mails, third and fourth class offices.....	250,000	350,000	300,000
Unusual conditions at post offices.....	700,000	700,000	700,000
Allowance to third-class offices.....	140,000	125,000	125,000
Do.....	580,000	580,000	580,000
Rent, light, and fuel, first, second, and third class offices.....	750,000	795,000	750,000
Miscellaneous expenses.....	4,400,000	4,640,000	4,500,000
Rental or purchase, canceling machines.....	325,000	350,000	350,000
Purchase, repair, etc., labor-saving devices.....	310,000	310,000	310,000
Pay of letter carriers.....	50,000	50,000	50,000
Substitutes for letter carriers.....	32,180,000	32,740,000	32,802,175
Substitutes and auxiliary letter carriers.....	1,100,000	1,200,000	1,100,000
	75,000	75,000	50,000

Post Office appropriation bill, 1913—Continued.

	Appropriation for 1912.	Estimates for 1913.	Committee recommends for 1913.
<b>FIRST ASSISTANT POSTMASTER GENERAL—Con.</b>			
Letter carriers at offices not now provided for.....			\$100,000
Horse-hire allowance.....	\$925,000	\$975,000	925,000
Car-fare and bicycle allowance.....	475,000	500,000	475,000
Street-car collection service.....	10,000	10,000	10,000
Detroit River postal service.....	6,500	6,500	6,500
Incidental expenses City Delivery Service.....	35,000	35,000	35,000
Car fare special-delivery messengers.....	13,000	13,000	13,000
Fees for special-delivery messengers.....	1,400,000	1,600,000	1,550,000
Initial expense parcel-post City Delivery Service.....		50,000	
Travel expenses.....	1,000	1,000	1,000
Total.....	113,725,100	118,130,100	117,660,525
<b>SECOND ASSISTANT POSTMASTER GENERAL.</b>			
Transportation:			
Inland transportation star routes in Alaska.....	250,000	250,000	250,000
Steamboat.....	790,900	1,867,000	850,000
Mail-messenger service.....	1,605,000	1,681,900	1,650,000
Transmission by pneumatic tube.....	966,800	987,400	987,400
Screen-wagon service.....	1,862,500	1,732,000	1,732,000
Mail bags, etc.....	283,000	282,000	275,000
Labor mail-bag shops.....	110,000	102,000	100,000
Rent, light, and fuel, Chicago.....	3,000	2,400	2,400
Mail locks and keys.....	12,000	12,000	12,000
Labor, mail-lock repair shop, Washington, D. C.....	36,500	36,500	36,500
Transportation by railroads.....	50,142,200	48,150,000	47,616,000
Tabulating returns by railroads.....	10,000		
Freight or expressage, postal supplies.....	425,000	648,200	648,200
Railway post-office car service.....	5,010,000	4,783,500	4,707,000
Railway mail service.....	20,512,900	21,035,550	21,035,550
Travel allowance, railway mail clerks.....	1,000,750	1,312,282	1,340,743
Temporary clerk hire.....	60,000	65,000	60,000
Substitutes for clerks on vacation.....	68,000	72,000	72,000
Acting clerks.....	120,000	120,000	120,000
Actual and necessary expenses.....	27,000	95,000	60,000
Rent, light, fuel, etc., division headquarters.....	75,000	75,000	75,000
Per diem allowance, assistant superintendents.....	5,580	4,831	4,431
Inland transportation, electric and cable cars.....	725,000	728,800	728,000
Investigation of proposed parcel post.....		50,000	
Experimental aerial service.....		50,000	
Transportation foreign mails.....	3,322,600	3,748,400	3,748,400
Assistant superintendent foreign mails.....	2,500	2,500	2,500
Balance due foreign countries.....	734,800	486,400	480,400
Travel expenses.....	1,000	1,000	1,000
Delegates International Postal Union.....			10,000
Total.....	88,164,030	87,381,163	86,640,524
<b>THIRD ASSISTANT POSTMASTER GENERAL.</b>			
Manufacture postage stamps.....	796,600	768,000	768,000
Manufacture stamped envelopes.....	1,823,000	1,728,000	1,728,000
Pay of agent and assistants, distribute stamped envelopes.....	26,000	26,000	22,800
Manufacture postal cards.....	451,000	371,000	371,000
Ship, steamboat, and way letters.....	250	250	250
Payment, limited indemnity.....	18,000	35,000	25,000
Payment, limited indemnity, international.....	15,000	10,000	7,000
Travel expenses.....	1,000	1,000	1,000
Employment special counsel.....	10,000	10,000	
Total.....	3,140,250	2,949,250	2,923,050
<b>FOURTH ASSISTANT POSTMASTER GENERAL.</b>			
Stationery.....	100,000	100,000	100,000
Official and registry envelopes.....	200,000	80,000	80,000
Pay of agent and assistants, distribution of envelopes.....	3,800		
Blanks, blank books, etc., money-order.....	150,000	150,000	125,000
Blanks, books, and printed matter, registry.....	6,700	6,500	4,000
Supplies, City Delivery Service.....	90,000	95,000	100,000
Postmarking, etc., stamps.....	50,000	50,000	50,000
Letter balances, etc.....	15,000	15,000	15,000
Wrapping paper.....	15,000	15,000	15,000
Wrapping twine and tying devices.....	200,000	200,000	200,000
Facing slips, etc.....	65,000	65,000	65,000
Purchase, exchange, typewriters, etc.....	90,000	80,000	70,000
Supplies, Rural Service.....	40,000	40,000	40,000
Shipment of supplies.....	100,000	110,000	110,000
Intaglio seals.....	10,000	10,000	10,000
Star Route Service.....	7,117,000	7,032,000	7,032,000
Carriers, Rural Service.....	42,790,000	43,375,000	43,375,000
Initial expense parcel post, rural routes.....		50,000	
Travel expenses.....	1,000	1,000	1,000
Total.....	51,043,360	51,474,500	51,392,000
<b>SUPPLEMENTAL ITEMS.</b>			
Postal savings banks.....	500,000		400,000
Parcel post commission.....			25,000

1 Original estimate, \$882,000; revised estimate, \$867,000.

2 Original estimate, \$1,689,000; revised estimate, \$1,681,900.

3 Original estimate, \$979,000; revised estimate, \$987,400.

4 Original estimate, \$1,748,000; revised estimate, \$1,732,000.

5 Original estimate, \$525,000; revised estimate, \$648,200.

6 Original estimate, \$734,000; revised estimate, \$728,800.

7 Original estimate, \$3,544,000; revised estimate, \$3,748,400.

8 Original estimate, \$110,000; revised estimate, \$80,000.

9 Original estimate, \$130,000; revised estimate, \$110,000.

Years.	Appropriation.	Receipts.	Expenditures.	Deficiency.
1897.....	\$92,571,564.22	\$82,665,462.73	\$94,077,242.38	\$11,411,777.65
1898.....	95,665,338.75	89,012,618.55	98,033,523.61	9,020,905.06
1899.....	99,202,300.75	95,021,384.17	101,632,160.92	6,610,776.75
1900.....	105,627,138.75	102,354,579.29	107,740,267.99	5,385,688.70
1901.....	113,658,238.75	111,631,193.39	115,554,092.87	3,923,727.48
1902.....	123,782,688.75	121,848,047.26	124,785,697.07	2,937,649.81
1903.....	138,416,568.75	134,224,443.24	138,784,487.97	4,560,044.73
1904.....	153,511,549.75	143,582,624.34	152,362,116.70	8,779,492.36
1905.....	170,845,998.75	152,826,585.10	167,399,169.23	14,572,584.13
1906.....	181,022,093.75	167,932,783.00	178,449,779.00	10,516,996.00
1907.....	191,670,998.75	183,585,005.57	189,935,242.79	6,350,237.22
1908.....	212,091,193.00	191,478,663.41	208,351,886.15	16,873,292.74
1909.....	222,960,892.00	203,562,383.07	221,004,102.89	17,441,719.82
1910.....	234,692,370.00	224,128,657.62	229,977,224.50	5,843,566.88
1911.....	243,907,020.00	237,879,823.60	238,507,669.54	627,845.94
1912.....	258,352,713.00			

The tables following show increases made by the committee over estimates, by items, for the different departments of the Postal Service, and in opposite columns are shown the decreases made by the committee in the department estimates. The original estimates as submitted by the department have in instances been revised by the Postmaster General, but the revised items have all been carried into the tables submitted herewith, and final amounts recommended by the committee for the fiscal year 1913, the revisions being shown by footnotes.

The item of \$10,000 for two delegates to the International Postal Union at Madrid in 1913 was not included in original department estimates, but was submitted as supplemental to the original estimates, and is recommended by the committee.

The item of \$25,000 for the establishment of a parcel-post commission is a committee recommendation, and is not chargeable as a department estimate.

#### OFFICE OF THE POSTMASTER GENERAL.

The estimate of this department for 1913 was \$1,245,050, which the committee decreased to \$1,211,650; or \$33,400 under the estimate.

Decreases:	
Gas, electric power, etc.....	\$900
Post-office inspectors.....	
Per diem.....	10,000
Traveling expenses.....	10,000
Miscellaneous expenses.....	2,500
Rewards to postal employees for inventions.....	10,000
	33,400

#### FIRST ASSISTANT POSTMASTER GENERAL.

The estimate for this office was \$118,130,100. The committee recommends \$117,660,525, a reduction of \$469,575, made up of the following items:

Increases:	
Compensation to clerks and employees.....	\$178,250
Pay of letter carriers.....	62,175
Letter carriers at offices not now provided for.....	100,000
	340,425
Decreases:	
Compensation to postmasters.....	\$200,000
Compensation to watchmen, messengers, etc.....	75,000
Temporary and auxiliary clerk hire.....	50,000
Allowance to third-class offices.....	45,000
Rent, light, and fuel, first, second, and third class offices.....	140,000
Substitutes for letter carriers.....	100,000
Substitutes and auxiliary letter carriers.....	25,000
Horse hire allowance.....	50,000
Car fare and bicycle allowance.....	25,000
Fees for special-delivery messengers.....	50,000
Initial expense, parcel post, City Delivery Service.....	50,000
	810,000
Making a net decrease of.....	469,575

#### SECOND ASSISTANT POSTMASTER GENERAL.

The estimate for this department is \$87,381,163. The committee recommends \$86,640,524, a decrease of \$740,639.

Increases:	
Travel allowance railway mail clerks.....	\$28,461
Delegates International Postal Union.....	10,000
	38,461
Decreases:	
Transportation, steamboats and other power boats.....	\$17,000
Mail messenger service.....	31,000
Mail bags, etc.....	7,000
Labor, mail-bag shops.....	2,000
Transportation by railroads.....	504,000
Railway post-office car service.....	76,000
Temporary clerk hire.....	5,000
Actual and necessary expenses.....	35,000
Per diem allowance to assistant superintendents.....	400
Inland transportation electric and cable cars.....	800
Investigation of proposed parcel post.....	50,000
Experimental aerial service.....	50,000
	770,100
Making a net decrease of.....	740,639

#### THIRD ASSISTANT POSTMASTER GENERAL.

The estimate of this office for 1913 is \$2,949,250. The committee recommends \$2,923,050, a decrease of \$26,200.

Decreases:	
Pay of agents and assistant distribute stamped envelopes.....	\$3,200
Payment limited indemnity.....	10,000
Payment limited indemnity, international.....	3,000
Employment of special counsel.....	10,000
	26,200
Total.....	26,200

#### FOURTH ASSISTANT POSTMASTER GENERAL.

The estimate of this office for 1913 is \$51,474,500. The committee recommends \$51,392,000, a decrease of \$82,500.

Increases:	
Supplies, City Delivery Service.....	\$5,000
Decreases:	
Blanks, blank books, etc., money order.....	\$25,000
Blanks, books, and printed matter, registry.....	2,500
Purchase, exchange, typewriters, etc.....	10,000
Initial expense establishing limited rural parcel post.....	50,000
	87,500
Making a net decrease of.....	82,500
Total net decrease.....	1,352,314

#### Number of employees in service June 30, 1911:

Clerks in first and second class post offices.....	32,319
City letter carriers.....	29,168
Railway mail clerks.....	17,028
Rural carriers.....	41,559
Total.....	120,074

#### Post offices June 30, 1911:

First class.....	423
Second class.....	1,823
Third class.....	5,731
Fourth class.....	51,260
Total.....	59,237
Decrease during year.....	343

In section 1, under subdivision Railway Postal Car Service, office of Second Assistant Postmaster General, is this proviso:

"Provided further, That after the 1st of July, 1917, the Postmaster General shall not approve or allow to be used or pay for any full railway post-office car not constructed of steel, steel underframe, or equally indestructible material, and not less than 20 per cent of the new equipment shall be put into operation annually after July, 1912; and after the passage of this act no contract shall be entered into for the construction of steel underframe cars."

This provision was inserted in the bill to provide for ultimate protection for a class of employees (railway mail clerks) whose lives are in constant danger in the discharge of their duties, from the defective postal car construction. The date for changes in cars as therein provided was fixed at July, 1917, to avoid injustice being done under the present contracts for the use of mail cars, and to afford the department time for changing cars to class demanded.

Section 2, to provide against fraud by mail contractors.

Section 3, to authorize an increase in naval mail clerks' bonds, now limited to \$1,000.

Section 4, to protect against fraud in weighing mails and to readjust compensation therefor.

Section 5, fixing for letter carriers in the City Delivery Service and clerks in first and second class post offices an eight-hour day and for extra pay or compensatory time for work by clerks and carriers in such offices.

Section 6, to protect employees against oppression and in the right of free speech and the right to consult their Representatives.

Section 7, to provide for a reclassification of railway postal clerks.

Section 9, granting a slight increase of rural letter carriers' pay.

Section 10, for experimental mail service in villages having post offices of the second and third class.

Section 11, amending the law so as to include the Marine Corps among those who may be designated as naval mail clerks and assistants, and the provision in section 1 providing for the promotion of postal clerks and letter carriers and the ultimate increase of pay to railway postal clerks, are all self-explanatory and manifestly so just as to require no special discussion in this report.

#### PARCEL POST.

Section 8 of this bill contains provisions in reference to mail matter of the fourth class. Under existing law we have a general parcel post fixing the postal rate at 1 cent an ounce with a limit of 4 pounds for mail matter of the fourth class (merchandise). This is an ounce and not a pound rate.

By the terms of the International Postal Convention the people of 23 foreign countries may now transmit fourth-class matter (merchandise) through our mails at the rate of 12 cents a pound with a limit of 11 pounds. This is not an ounce rate, but a pound rate. This bill provides for a similar pound rate and limit for the use of our people in our mails that is given by us to foreign countries. The section does not provide for the rate on a fraction of a pound, but for a flat pound rate to a limit of 11 pounds at 12 cents a pound, and each fraction of a pound over 1 pound carried under this section would cost 12 cents. The ounce rate law now in force is not repealed by this section and there is no inconsistency or conflict in the two acts that would operate as a repeal of the ounce postal section by implication. So that one desiring to send a package of less weight than a pound through the mails can do so at the rate of 1 cent an ounce. Thus far the parcel post question seems sufficiently clear to assure us against a loss of revenue and detriment to any business conditions in its application.

One of the most difficult questions connected with proposed postal progress arises with the suggestion to create a general unlimited parcel post for the transportation of merchandise at a flat rate of 8 cents a pound or less, with a limit of 11 pounds or a greater number of pounds.

The advocates of this proposition insist that the rate on fourth-class matter (merchandise) was at one time 8 cents a pound with no loss of revenue, but an increase of revenue; that the zone system of transportation charges used by the express companies is unnecessary and cumbersome; that express companies pay wheeledge to railroad companies and divide profits and still make annually colossal profits at the expense of the people; that it is the right of the people to use the mails for their own benefit and the right of the consumer to buy wherever he can secure the best bargain, whether it be at home or in another State or city, and that the complaint of this view is from selfish sources; that a largely increased revenue will come to the Government from the system and advantages and blessings to the whole people in its operation.

The opponents of a general unlimited parcel post insist that it will tend to concentrate business in the large cities and be injurious to rural communities and small towns and cities; that it is a step in the



wrong direction—paternalistic and dangerous in its tendencies; that it would create an enormous deficit in the Post Office Department; that it would revolutionize the commercial system in the United States; that it would seriously delay the delivery of legitimate mail; that it would deplete or destroy the prosperity of innumerable country towns and villages, and therefore must be regarded as a menace to the welfare of all the people; that it is class legislation in that it discriminates against the country merchant and favors the great retail mail-order houses; that it is in effect a subsidy to the retail mail-order houses—wrong in principle and unfair in practice; and they further insist that a rural parcel post would be an entering wedge for a general parcel post.

The most of people living in the country and engaged in agriculture and other pursuits, so far as we can secure information, and the larger mercantile establishments in the great cities favor an unlimited parcel-post law. The country merchant and nearly all merchants of the smaller cities and towns oppose the law. This seems to be the alignment. Self-interest, the mainspring of most of our actions, seems to be commanding in both factions. We do not think that the advantages claimed for the establishment of this post will be so great as its ultra-friends claim, nor that the disadvantages would be nearly so great as its enemies fear.

The necessity for conservative legislation in view of such a contention and division among the people is apparent. We should seek to secure all the advantages possible and avoid all the disadvantages that may arise from any proposed legislation in the interests of the masses of the whole people. Laws should bear as nearly as possible equally and justly on all classes under all conditions. We have heard much testimony, very interesting in its details, but for the most part from those who express an opinion from a general view of general conditions. We need specific facts and not merely opinions on which to pass intelligent and satisfactory legislation. It would seem essential that we know how this innovation in our postal system will affect our revenue; what additional burdens we must assume in increased numbers of employees, and the increased railway and carriage pay; whether a flat rate can be established for the whole of the United States or not and at what figure; whether it would be wise to adopt the zone system of transportation and pay for carriage or not; how far this extra service would interfere with the handling of first, second, and third class mail matter; the probable losses and profits under different rates; the effect on the centralization of trade; whether the express companies could under one system or another secure the short hauls and leave the long and expensive hauls to the Government; whether it would first be best to condemn the express companies' contracts with the railroads or not, and use them, or to force the railroad companies to equal rates for the Post Office Department that is granted the express companies, or to pursue either of these courses; to know the tendency of the system to create and sustain monopolies, and its effect on the commercial and farming interests of the country. On these matters there should be some definite information (in the interest of the general public) for use in the enactment of a wise law on the subject, before any law general and unlimited in its character at a low rate of postage and increased number in pounds should be established. This information can best be obtained and applied for good results only after a full consideration by a commission of persons especially equipped and experienced in such investigations and clothed with full power to ascertain the facts. Therefore the embodiment in this bill of a section creating a commission and directing the examination and report, that the true facts and conditions may be known in advance of legislation.

The same conditions do not exist, and therefore the same reasoning does not apply to the strictly rural parcel post confined to matter of the fourth class arising and for delivery on each specific rural free-delivery route. These routes are already established. All of their machinery is in full operation. The additional burdens on the carrier are slight, and a slight additional compensation is provided for in this bill. The estimate of the department is that a change in equipment will be necessary as to only about 15 per cent of the routes. We have therefore provided for a limited rural route parcel post with postage rates at 5 cents per pound for the first pound and 2 cents per pound over 1 pound and for fractions of pounds, to 11 pounds limit as an experimental proposition. This experiment will last for two years on all of the routes in the United States. If it shall prove to be unwise, it can be repealed or expire by limitation. We think that it will be a combined advantage to the farmer and to the country merchant and of no possible injury to anyone. The estimated increase in revenue from this source is from seven to ten millions of dollars in its limited character. We feel that it is the duty of Congress, in response to the almost universal demand from the people residing in the rural and agricultural districts of the United States, to inaugurate this system of limited rural parcel post, experimentally at least. We do not believe that it would be wise to establish a general or unlimited parcel post on the lines suggested until there has been information of such definite and certain character as to justify us in taking a position so important and necessarily affecting the revenues to the extent that it will.

#### POSTAL-SAVINGS BANKS.

Section 11 carries \$400,000 and an unexpended balance of about \$205,000, making in all about \$605,000 to continue the establishment and maintenance of postal-savings depositories. The estimate for this service was not included in the original estimates, but is supplementary and is explained in the letters of the Postmaster General to the chairman of this committee herewith attached as an appendix. In view of the fact that the postal-savings-bank law is new and the system has not been fully established, the committee recommends the appropriation and legislation asked for, to the end that a full and complete test may be made of this experiment to determine the ultimate value of its continuation. The careful attention of the House is directed to the Appendix.

#### APPENDIX.

POST OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., February 21, 1912.

Hon. JOHN A. MOON,  
Chairman Committee on the Post Office and Post Roads,  
House of Representatives.

MY DEAR JUDGE MOON: In compliance with your telephonic request of yesterday, I am sending you herewith a statement of the expenditures and obligations of the postal-savings system to February 1, 1912, the estimated expenditures for the remainder of the fiscal year, and the probable cost of operating the system during 1913, making clear the

basis of the department's request for the appropriation of \$400,000 and the unexpended balance of the present appropriation.

A summary by months of postal-savings business in 1911 is also inclosed.

Yours, very truly,

FRANK H. HITCHCOCK,  
Postmaster General.

[Memorandum relating to the estimate for expenses of the postal savings system during the fiscal year 1913.]

The establishment and operation of the postal savings system was begun under an appropriation of \$100,000 provided by the act of June 25, 1910. To this amount the sum of \$500,000 was added by the act of March 4, 1911, making a total of \$600,000 thus far made available for the expenses of the system. The following statement shows the expenditures and the obligations incurred under these appropriations up to February 1, 1912, an estimate of expenditures during the remainder of the fiscal year and of the unexpended balance June 30, 1912:

APPROPRIATIONS.	
June 25, 1910	\$100,000.00
March 4, 1911	500,000.00
Total appropriated	600,000.00
DISBURSEMENTS.	
Accounting books and forms	\$53,757.63
Salaries:	
Postmaster's clerks	31,267.13
Central office	31,694.88
Certificate of deposit forms	26,171.88
Furniture and equipment	20,772.92
Traveling expenses:	
Postmasters	10,185.71
Central office	320.20
Postal savings bonds (plates and dies)	6,570.37
Official stamped envelopes	3,342.86
Savings cards and stamps	6,030.76
Telegraph and telephone service	827.83
Engraving postal savings bonds	104.35
Miscellaneous	507.10
Total disbursements to date	101,553.62
Cash balance	408,446.38
OBLIGATIONS.	
American Bank Note Co.	\$28,500.00
United States and Union Envelope Co.	8,652.39
Government Printing Office (forms)	8,837.44
Miscellaneous	7,165.96
Total obligations	53,155.79
Balance available	355,290.59
Estimated expenses, exclusive of obligations already incurred for balance of fiscal year 1912	150,000.00
Estimated unexpended balance available for reappropriation	205,290.59
The number of officers and clerks now employed in the postal savings system, by grades and salaries, is as follows:	
	Per annum.
Director	\$5,000
Assistant Director	2,500
Accountant	2,500
1 clerk (class 5)	2,000
4 clerks (class 4)	1,800
6 clerks (class 3)	1,600
7 clerks (class 2)	1,400
9 clerks (class 1)	1,200
30 clerks	1,000
47 clerks	900
1 messenger	720
1 messenger	660
2 laborers	660
2 pages	480
113 Total	125,360

One thousand new depositories will be designated each month, thereby making the total number in operation on June 30 next approximately 13,000 and at the end of the fiscal year 1913 approximately 25,000. It is estimated that with each extension of 1,000 offices it will be necessary to employ from six to eight additional clerks.

The estimated cost of the central office for the fiscal year 1913, including equipment and salaries of 225 employees, is \$280,000. To this must be added the cost of supplies for the presidential offices now designated and for 16,000 fourth-class offices to be established between now and June 30, 1913. It is estimated that supplies for each first-class post office will cost about \$100, for each second-class office \$10, and for each third-class office \$8.50. The total estimated cost of continuing the presidential offices already designated is about \$110,000. The cost of supplying fourth-class offices will be about the same as for those of the third class, the total estimate for 16,000 offices being \$140,000. To this must be added the expenses of the postal savings work in the offices of the Treasurer of the United States and the Auditor for the Post Office Department, estimated at \$70,000. These items give a total estimated expense of \$600,000. Deducting the estimated unexpended balance of previous appropriations, \$200,000, the remaining estimated expense for which an appropriation is recommended is \$400,000. This statement may be summed up as follows:

Estimated cost of central office	\$280,000
Estimated cost of employees in offices of the Treasurer of the United States and Auditor for the Post Office Department	70,000
Supplies for presidential offices now designated	110,000
Supplies to establish 16,000 fourth-class offices	140,000
Total estimated expense	600,000
Estimated unexpended balance of previous appropriations	200,000
Appropriation recommended	400,000

## Summary of transactions of the postal savings system, by months, in 1911.

Month.	Number of offices at close of month.	Deposits.	Withdrawals.	Balance to credit of depositors.	Sold.	Savings cards and stamps.		Net cash receipts to close of month.	Balance on deposit in banks.
						Converted into deposits.	Outstanding at close of month.		
January.....	48	\$61,805.00	\$1,704.00	\$60,101.00	\$980.40	\$429.00	\$551.40	\$60,652.40	
February.....	48	81,758.00	7,990.00	133,869.00	822.50	402.00	971.90	134,922.90	\$110,844.38
March.....	48	80,701.00	12,609.00	201,961.00	652.80	498.00	1,126.70	203,257.00	191,878.97
April.....	48	82,646.00	16,165.00	268,442.00	598.30	338.00	1,187.00	269,814.00	264,508.32
May.....	93	154,505.00	28,016.00	394,931.00	735.10	581.00	1,341.10	396,440.10	381,977.90
June.....	400	316,714.00	34,500.00	677,145.00	1,236.60	690.00	1,857.70	679,310.40	571,670.90
July.....	1,000	578,817.00	73,907.00	1,182,055.00	2,911.90	1,851.00	2,948.00	1,189,384.73	973,390.73
August.....	1,280	1,175,618.00	184,819.00	2,172,854.00	7,689.30	3,936.00	6,701.90	2,184,542.91	1,535,137.50
September.....	1,973	2,185,438.00	282,645.00	4,075,647.00	12,891.70	6,720.00	12,873.60	4,095,768.60	2,993,018.77
October.....	3,148	2,837,918.00	473,304.00	6,440,261.00	17,216.50	11,330.00	18,760.10	6,465,399.84	5,439,713.24
November.....	4,185			18,500,000.00					
December.....	5,185			12,000,000.00					

<sup>1</sup> Estimated.

POST OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER GENERAL,  
Washington, D. C., February 23, 1912.

Hon. JOHN A. MOON,  
Chairman Committee on the Post Office and Post Roads,  
House of Representatives.

MY DEAR JUDGE MOON: Replying to your telephonic request of yesterday, I am sending you herewith a tabular statement showing the

transactions of the postal savings system by months for the first year of its operation, during which time the number of offices actually receiving deposits increased from 48 in January to 5,185 in December; the total deposits for each month of the year, the interest received from banks, and the interest payable to depositors.

Yours, very truly,

FRANK H. HITCHCOCK,  
Postmaster General.

## Summary of transactions of the postal savings system, by months, in 1911.

Month.	Number of offices at close of month.	Deposits.	Withdrawals.	Balance to credit of depositors.	Balance on deposit in banks.	Interest receivable.	Interest payable (estimated).
January.....	48	\$61,805	\$1,704	\$60,101			
February.....	48	81,758	7,990	133,869	\$110,844.38	\$260	\$50
March.....	48	80,701	12,609	201,961	191,878.97	380	112
April.....	48	82,646	16,165	268,442	264,508.32	550	188
May.....	93	154,505	28,016	394,931	381,977.90	760	254
June.....	400	316,714	34,500	677,145	571,670.90	1,220	379
July.....	1,000	578,817	73,907	1,182,055	973,390.73	1,600	564
August.....	1,280	1,175,618	184,819	2,172,854	1,535,137.50	12,600	993
September.....	1,973	2,185,438	282,645	4,075,647	2,993,018.77	14,700	1,811
October.....	3,148	2,837,918	473,304	6,440,261	5,439,713.24	18,800	3,396
November.....	4,185			18,500,000	18,000,000.00	14,000	5,367
December.....	5,185			12,000,000	11,500,000.00	120,300	7,083
Total.....						155,170	20,196

<sup>1</sup> Estimated.

## POST OFFICE APPROPRIATION BILL.

Mr. MOON of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 21279) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes, with Mr. HAY in the chair.

Mr. MURDOCK. Mr. Chairman, I yield 30 minutes to the gentleman from Iowa [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, I desire first to make a few remarks on the latter part of section 6, which reads as follows:

The presenting by any such person or groups of persons of any grievance or grievances to Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service.

This provision in this bill, in my judgment, merely restores or guarantees to the civil-service employees of the Postal Department a right that is clearly and unequivocally guaranteed to them by the Constitution of the United States. Article I of the amendment to the Constitution expressly provides in substance that Congress shall pass no law abridging the right of speech or the right to peaceably assemble and petition the Government for redress of grievances.

If the Congress of the United States has no power to thus abridge any portion of our citizenship in their right to petition for redress of grievances, I hardly think that any constitutional lawyer will contend that that right may with impunity be exercised by the executive branch of the Government; and while this Executive order that has been issued in a measure abridges that right, I do not wish to be understood as severely criticizing either of the Chief Executives that promulgated it. It was doubtless designed for a good purpose; but, notwithstanding the

great respect that I have for the statesmanship and the wisdom of the President who first promulgated this order, notwithstanding my reverence, almost, for the judicial knowledge and acumen of the illustrious President that repeated the order, I am nevertheless constrained to believe that the founders of our Government had a keener insight into the workings of the human mind and the human soul than those illustrious men. I think our forefathers understood that a liberty-loving, strong, virile humanity would not endure the repression of a right to freely express to the Government their grievances. I am one of those persons who believe that you can never correct discontent, you can never allay agitation, by repressive measures. As far as I have observed the workings in these matters in human life, the more you attempt to check and keep from free expression the more you augment and increase the supposed grievance.

We must remember that those who are engaged under the civil service of the Government are made of the same flesh, are made of the same blood, and they have the same virile spirit that constitutes American citizenship, and when you deprive them of the constitutional right to present their grievances to the men that have the right and the power to correct them you do not prevent them from taking action, but you simply divert their method of action.

In the short stay that I have had in Washington, and especially in the service that I have had upon the Committee on Reform in the Civil Service and in the Committee on the District of Columbia, I have learned that this rule has worked in a peculiar way; that while these men are now abridged of the right to appear before committees and before Members of Congress in person, they have effected that appearance by professional attorneys and lobbyists—a thing that is perfectly natural. Water will always find some way to get vent, and so will this impulse of human nature to have a hearing upon questions that involve their rights.

If the committee will permit me, I will call attention to one thing that developed in the hearings in the Committee on the



District of Columbia. The committee reported unanimously a bill for increasing the compensation of the policemen at the street crossings. It was doubtless a good bill. It passed this House and it has passed the Senate. To my surprise and to the surprise of the committee, shortly after that bill was passed we found that a lobbyist in this town had a written contract with every one of these policemen by which a certain class that had a greater increase in pay were to pay him \$10 a month for a year out of their salary, and another class that received less compensation were to pay him \$5 a month for a year out of their salary. In other words, one class paid this professional lobbyist \$120 apiece for a year and the other class \$60 apiece for getting this wholesome legislation through.

Mr. CAMPBELL. Will the gentleman allow me to corroborate him concerning lobbyists?

Mr. PROUTY. Certainly.

Mr. CAMPBELL. Some years ago I had a bill here reorganizing and increasing the salaries of the firemen.

The bill was favorably reported by a subcommittee, and was taken up in the whole committee and favorably reported to the House, and taken up in the House and was up for passage when I learned that another assessment had been issued by a lobbyist against every member of the fire department. That word came to me just in time to stop the passage of the bill until every fireman received back every dollar that had been taken from him, on the condition that if it was not the bill would not pass the House. The money was paid back.

Mr. CLINE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. PROUTY. With pleasure.

Mr. CLINE. Can the gentleman give the House any information as to how this gentleman got his work in on the proposition, or as to whether or not he did anything at all in forwarding the interests of the policemen in regard to their pay?

Mr. PROUTY. I can not give the gentleman any information with such accuracy as I would desire if anybody were to act upon it. I hardly would be able to act upon it myself. It has been suggested to me that his method of operation was something like this: It was suggested when the matter was up that, so far as my information was concerned, this man had never appeared before the committee. I believe our chairman said that at one time he did appear in his committee room. He was informed by a gentleman somewhat familiar with this matter of lobbying that this professional lobbyist never himself practically appeared in the transaction, but operated somewhat in this manner: He picked out a man, for instance, say, from Massachusetts, who was a member of the committee, or in some place where he could be of service, and he would find some fellow from Massachusetts who knew that man, and he would say to him, "Here, I will give you \$50 or \$100 if you can get that man to vote favorably on this measure." This man would call on the Member and, under the guise of friendship and under the guise of being very familiar with the matter here in Washington—apparently not with any idea of getting him to do it, but just quietly laying it before him—he would soon work up a sentiment favorable to his measure. I am informed in a somewhat loose way that that is the general plan of their operations.

I may say right here, diverting a little from what I intended to say when I arose, that I am credibly informed that there are scores of contracts of that kind now in force in the city, in which the men have entered into a written contract to get a certain per cent or a fee in case of a favorable report or the favorable passage of measures in this House.

Now, I know that when we investigated this matter somewhat with the police force they said this, and they said it rightfully, too, "We were unjustly discriminated against. Under these rules we can not appeal in person either to the Congressmen or to committees," as they interpreted the rule, for the purpose of getting redress, and therefore they said, "We listened with heart and ears to this seductive approach of the lobbyist and agreed gladly to yield to him a part of our compensation if we could get relief."

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Missouri?

Mr. PROUTY. With pleasure.

Mr. DICKINSON. Will the gentleman please insert in his remarks the rule or Executive order, to which he has referred, prohibiting the employees from appealing to their Representatives?

Mr. PROUTY. I do not have them in my hands. I supposed everybody in the House was familiar with them. There were three of them, I understand.

Mr. DICKINSON. I thought the gentleman had it as a part of his speech.

Mr. PROUTY. With the permission of the House, I will produce them and print them.

Mr. GARDNER of New Jersey. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from New Jersey?

Mr. PROUTY. With pleasure.

Mr. GARDNER of New Jersey. I think it is entirely fair to state, in this connection, that the conditions which the gentleman describes existed long before there were any orders prohibiting persons from approaching any official. It has, perhaps, been 35 years since James Parton, through several articles in the Atlantic Monthly, under the title of "The strikers of the Washington lobby," exposed the whole matter in full, so the condition has not arisen out of an Executive order, but out of the powers of persuasion of some gentlemen that they could get things through Congress, when in fact they foresaw the intent of Congress and sold the results.

Mr. PROUTY. I am very much obliged to the gentleman for the information and suggestion. I have not myself assumed the responsibility of saying that this condition grew out of the rule, but it must be apparent to every candid mind that such a rule would have the effect of aggravating that condition. In other words, if you prevent the men from appearing before Congress themselves it creates a condition and an opportunity by which the lobbyist can easily get the ear of these people and say, "I can reach Congress if you can not."

Mr. CLINE. May I add just a word there?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. PROUTY. With pleasure.

Mr. CLINE. I want to corroborate in a few words the statement made by the gentleman from Iowa. It has become so apparent that the House Office Building is frequented by professional lobbyists that people generally know who they are and what their business is. I have in mind two committees that are on the same floor with my office, and two certain gentlemen have taken up their positions at the committee room doors for the last three or four weeks while certain bills have been before those committees. These men are not Members of Congress and are not personally interested in the bills, as I am informed by the policemen in the halls, but are men whose particular business it is to engineer the bills through the committee if possible, through the means suggested by the gentleman from Iowa and other methods. I state this for the purpose of corroborating what the gentleman from Iowa [Mr. PROUTY] has said about the lobbyists in and about the Capitol and the Office Building.

Mr. PROUTY. One of my special reasons for supporting this measure is that it will relieve the civil-service employees from the temptations that come to them from their situation. As I said earlier in my remarks, I know that these civil-service employees, if they have real or, perhaps, even imaginary grievances and wrongs, will find some way of expressing themselves, will find some way of reaching Congress; and I think it infinitely better that they be allowed to come for themselves and present their own case than it is to put them in a position where they are compelled to go to these lobbyists.

In my work upon the District Committee and on the Civil Service Reform Committee facts have been brought to my attention which make me sincerely believe that there ought to be a general increase in the salaries of civil-service employees. It seems to be absolutely unanswerable that if the scale of wages fixed half a century ago was then just it is now grossly too small. Every candid man who studies this question must reach the conclusion that the increased cost of living, the changed conditions of life, the high standard of living, the greater demands that are made upon everybody for the education of their children and for the care of their families all point to the fact that there ought to be a real readjustment of salaries, and that that readjustment ought to be in an upward direction.

But what I am trying to impress upon this House is this thought: That I want to deal directly with these people themselves and not through "salary brokers." I know that this will throw down the fence, and I know that I am exposing myself and helping to expose my colleagues to an endless assault, it may be said, from these importuning civil-service employees. I know that; but, so far as I am personally concerned, I would infinitely rather listen to the complaints of these men than to be hounded, as I have been, day and night, by these professional lobbyists.

That is all I had intended to say. In fact, I have said a great deal more on the subject than I had intended.

I might say, however, by way of parentheses, that I have introduced a short bill, practically at the direction of the committee, seeking in a measure to correct these things.

In the first place, it provides that no one shall appear either before an individual Member of Congress or before a committee of Congress in the profession of a lobbyist for hire without disclosing that fact and, if requested, disclosing by whom hired.

The second section of the bill prevents civil-service employees from raising funds to hire people as professional lobbyists and from making these contracts that, I am informed, exist by the hundreds in this town for contingent fees, making such contracts illegal and void and against public policy and, therefore, not collectible. In other words, it is my desire, what little time I remain in this Congress, to get my information first hand from the men who are themselves directly interested. I do not want to have a professional lobbyist, who has no interest in these measures or men except the paltry dollars that he gets, tell me what is my duty toward a great class of our citizenship. [Applause.]

But, Mr. Chairman, I rose really to discuss another proposition.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. SLOAN. The gentleman has adverted to the fact that civil-service employees are not well paid. I call his attention to the fact that the large mercantile establishments in this city have interested themselves in the wages of the civil-service employees. Have you made any investigation to find out which is the better paymaster, the Government of the United States or these large mercantile establishments who have so deeply interested themselves in governmental employees?

Mr. PROUTY. No, sir; I have not. I have, from my own personal connection with some institutions, facts that would warrant me in asserting that as a rule Government employees do not get as good compensation as the institutions with which I am connected pay men for similar service.

But I will go back to the original proposition; either the price fixed 50 years ago was grossly high, or it is grossly low now. There is no escape from that proposition. I know that 30 years ago, when I was active in young life, I could live and keep my family respectably on half what I can keep them for to-day, and I believe that is the experience of every man on this floor.

Mr. DEFENDERFER. And what were luxuries then are necessities to-day.

Mr. PROUTY. Yes; as my friend from Pennsylvania says, what were luxuries then are almost necessities now. It does not apply to Members of Congress alone, it applies to every department of life. I can remember when a man who got 50 cents a day apparently lived on it as well as he does now. There was a time when Congressmen only got \$2,500 a year, and I venture the assertion that they then saved more out of their salaries than does the distinguished gentleman from Nebraska now.

Mr. SLOAN. Will the gentleman yield?

Mr. PROUTY. Certainly.

Mr. SLOAN. I would like to ask the gentleman if he wants to be understood as saying that the articles which he bought for his family 25 years ago would cost now 50 or 100 per cent more, or, as a matter of fact, very much more?

Mr. PROUTY. Oh, very many of them cost more.

Mr. SLOAN. Is it not a very slight percentage?

Mr. PROUTY. No; I used to buy potatoes for 10 cents a bushel, and I am paying \$1 now.

Mr. SLOAN. Perhaps the gentleman ate a great many more then, which makes up the difference.

Mr. PROUTY. But, Mr. Chairman, laying all jesting aside, there is not a man within the sound of my voice that does not know that 30 years ago he could make a better showing on \$1,000 than he can to-day on \$5,000. It is not all in the increased cost of the things he buys, but in the increase of things that the situation demands that he and his family should have.

Mr. SLOAN. Is not that all the difference, practically?

Mr. PROUTY. No; it is not all of it. The standard of living has been raised all around in every way; and I simply repeat what I said a little while ago, that if it was right 50 years ago it is dead wrong now.

I am not disposed to say that when these salaries were originally fixed there was a conspiracy to rob the Public Treasury. But, Mr. Chairman, I find myself getting more or less diverted from the real thought that I want, if I can, to burn into the minds of at least the few loyal Members of the House who came here this morning to hear me. The time has arrived when we should get information from men that have an interest in it, and not from these fellows around here who make a brokerage out of the salaries of these unfortunate people. Now, if there is no further question, I will proceed to discuss the second thought, the one I really rose to discuss, and that is the ques-

tion of good roads, the aid of the Federal Government in some way in the improvement of our highway system.

I introduced a bill on this subject some time early in Congress that presented a plan that, of course, met with my own judgment. The provision that will be offered as an amendment to this measure in this House in connection with this bill does not quite meet my own ideas as to the policy the Government should pursue in regard to public roads, but it is so clearly a step in the right direction that I am most glad to give it the benefit of my support.

Of course, the very first question that comes to the mind of every lawyer, and perhaps the mind of every Congressman, is whether or not the Federal Government has the constitutional right to enter upon this field—whether or not it was a part of the policy of the framers of our Constitution that the Federal Government should reach out its hand and supervise and take charge of or assist in the construction of highways. Yesterday you heard upon this floor two quite able discussions on this question, and I do not intend to add much to that part of it. As I view it, there is no question about the power of the Federal Government. The first section, that enables us to provide for the "general welfare," is ample, because there is no one thing that adds so much to the happiness and prosperity of our people as good roads.

The provision that allows us to provide for the "common defense" would be ample, and under it we could exercise this power, because there is nothing that adds so much to the force and effectiveness of an army as the ability to quickly mobilize.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. PROUTY. Mr. Chairman, I have just got started. Gentlemen have taken all of my time in asking questions. I would like to have about 20 minutes more time.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield the gentleman 20 minutes more.

Mr. PROUTY. Mr. Chairman, I shall necessarily have to use most of this time myself, although I shall not make the hard and fast rule that I shall not yield to a question, but I hope my friends will not take too much of my time.

We do not need to rely upon these implied powers of the Constitution. Under section 8, Article I, of the Constitution, division 7, the power is expressly conferred upon Congress to "establish post offices and post roads," and Congress itself declared that the word "establish" should be construed in regard to post roads in the same way it is construed in regard to post offices. In other words, there is just as much authority under the Constitution of the United States to establish, maintain, and improve post roads as there is to establish, build, and maintain post offices. I might say here, by way of parenthesis, that for more than 50 years that right was exercised by the Federal Government, and it was never called into question, and to my knowledge it has never been called into question in any tribunal in the United States. The Supreme Court of the United States did construe this question, and confirmed in Congress the right to aid in the construction of railroads under this provision. It is a strange mental operation that would say that the Federal Government has power under that article to build railroads that are to be used forever for private purposes and yet has no power to assist in the building, improvement, and furtherance of roads that are forever to be used by the public without compensation on the part of the Federal Government. So I pass that question.

The next question that suggests itself to every thoughtful mind is whether or not the project is of sufficient national importance to justify Congress in taking the funds out of the Federal Treasury and applying them to that purpose. As I look at it, Mr. Chairman, there is no subject pending before the American Congress of greater importance than the question of road construction. Up to 1800 we engaged in Federal aid, but after the close of the war we turned our whole attention to the building of railroads, and the Government of the United States appropriated millions of its money and gave millions of acres of its land and millions of dollars of credit for the purpose of creating transportation by rail. I am not going even now to criticize that, but it looks to me perfectly clear that if the Government considers of enough importance the question of transportation to thus lend its whole Treasury to the scheme, then the initial transportation, which is the greater transportation, should receive the same care and consideration at the hands of the American Congress.

Mr. FURNES. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. With pleasure.

Mr. FURNES. Is it not a fact that the Government was paid back the entire amount of money which it ever advanced the railroad corporations?



Mr. PROUTY. Of course, that would lead the gentleman and me into a long discussion; but I can answer the question by saying clearly no; and I can easily demonstrate that if I would dare to take it out of my time; but there were 200,000,000 acres of land that were given to them, not \$1 of the value of which was ever returned to the Public Treasury. The Agricultural Department says that it is now worth \$10 an acre, but at \$10 an acre that would amount to two billions of dollars.

Mr. FORNES. Is it not a fact regarding that that whatever land was given was amply paid for by the improved value of the land adjoining it? Was it not a business proposition?

Mr. PROUTY. On the part of the railroads; yes.

Mr. FORNES. Another question I wish to ask is this: It may be constitutional, but is it good policy for the National Government to spend its money for the purpose of improving roads which lie entirely within the State? Is it not a fact that it ought to be the pride of every State to spend its own money in the improvement of its roads? In other words, would not that be proper home rule?

Mr. PROUTY. Every word that the gentleman has said is true, but it would be just as true of railroads as it would be of public highways.

Mr. FORNES. Oh, I beg to differ with the gentleman. Public highways are not international roads.

Mr. BARTLETT. An international road is a public highway.

Mr. PROUTY. If I started to go from here to Chicago by road—as many of my friends are doing by automobile—does the gentleman say that is not interstate traffic and commerce?

Mr. BARTLETT. A railroad is a public highway under the law.

Mr. FORNES. Does the gentleman mean to tell me that for the luxury of the few we shall have, so to say, to lay the burden on the larger number?

Mr. PROUTY. If the gentleman would just hold himself in patience I shall be very glad to answer that question, because that is the second question that I am going to answer.

Now, I will give three or four minutes to a question of its importance. There is more freight actually hauled by road—by wagon—than there is by the railroads of this country—more actual pounds hauled over the highways of this country than by railroad. In this country it costs, according to the estimates of the director of roads, 23 cents per mile per ton to haul that. In England it costs 11 cents; in Germany it costs 10 cents; in France it costs 7 cents. Now, if you note that, the cost of transportation in those countries is less than half what it is in this country. If you could make our roads as good, so our transportation over the highways could be as cheap as it is in those countries, there would be a saving in this country exceeding all the freight that is paid to all the railroads in the United States.

Mr. FORNES. Will the gentleman yield for another question?

Mr. PROUTY. Let me answer the first one, I can not answer all of them at once. After I answer the first one.

The CHAIRMAN (Mr. CULLOR). The gentleman declines to yield.

Mr. PROUTY. The gentleman will pardon me, I am coming to the second question; the gentleman has not given me chance to answer yet. Anyone who has watched this situation and studied it knows it costs on an average more to haul a ton of freight 8 miles over the country roads than it does to haul it from New York to Liverpool by steam. Again, the average cost of hauling the food products of the farm to the city is greater than the railroad transportation from the point of delivery to the point of final consumption. Therefore the man who has not studied this question with the idea of reducing this initial cost of transportation is not helping to solve the great problem of this country as to how we will get cheap food without reducing the price to the man who raises it. Now, I am going to come to the gentleman's second question, briefly, because you can discuss this ad libitum. There is no limit to the arguments that can be used in this controversy. In regard to the second question, I notice my friend, Mr. MADDEN, yesterday spent considerable time upon the same question, and that is, whether it is fair. Now, everyone knows that primarily this expenditure will be for the benefit of the inland dweller—the country dweller—the farmer, so to speak, and it is an expense that comes off the entire community, as everybody can easily recognize. Now, as I have frequently said, and I repeat here now, there is no greater wrong than a legislative body or a government can enact than to perpetually take money from one class of citizens and expend it for the benefit of another. It does not matter much how high taxes are so long as they are expended for the benefit of substantially the same class of people from whom they are collected. I undertake to say that this Congress may pursue the policy that we are advocating for 100 years and we will not be able to equalize or balance the

amount of expenditure as between the city or the rural dweller. [Applause.]

Mr. COX of Ohio. Will the gentleman yield at that juncture?

Mr. PROUTY. Just let me finish this and then if the gentleman will call my attention to his question I will be glad to answer it. Now, what is the fact? Take, for example, an illustration. This country has spent \$600,000,000 improving the waterways and harbors, and practically every dollar of that money was primarily expended in the cities and for the benefit of the cities along these waterways. Six hundred million dollars has been spent—far more than upon the building of the Panama Canal. I believe I could state with perfect safety that at least 75 per cent—it was so stated in the Senate—had been thrown in the well. Now, of that sum of money the inland dwellers have paid at least 75 per cent and they have never received a direct benefit from a dollar of it. They have received an indirect benefit, just like you fellows who live in the cities are to receive an indirect benefit from the improvements of these highways. I live in a city and I think we can be fair and square, even if we live in a city, and discuss this question as fairly and impartially as those who live on the farms of this country.

Mr. BARTLETT. Will the gentleman permit me to ask him a question? He lives in Des Moines County, I believe.

Mr. PROUTY. I live in Des Moines.

Mr. BARTLETT. You have done nothing toward improving your roads there, have you?

Mr. PROUTY. We have not done much, but we have done some and are planning more.

Mr. BARTLETT. You have 900 miles of road and you have improved 53 of it. That is what you have done.

Mr. PROUTY. We do not claim to have macadamized roads; but do not divert me with these technical and unnecessary questions that have no direct bearing on the question I am discussing.

Mr. TRIBBLE. Will the gentleman yield there for one short question?

Mr. PROUTY. Let me finish with the gentleman from New York. He asked me the first question and the longest question, and he is entitled to a fair and square answer. Now, you will take, for instance, the building of post-office and public buildings. The Government of the United States has spent over \$200,000,000 in the cities, every dollar of which has been spent for the accommodation, convenience, and benefit of the city dweller.

Mr. TRIBBLE. And not in the country?

Mr. PROUTY. Not a dollar of it went into the country. I notice my good friend from Illinois [Mr. MADDEN] yesterday called attention to the fact that they spent—he said \$47,000,000, but he has that too high; it is \$37,000,000—for rural free delivery in the country for the benefit of the farmer; and there was a loss on that, I will concede. But, gentlemen, remember this fact, that of the total population in this country 54 per cent of it lives in the country and 46 in the cities, and that we spend per capita more than three dollars for one in maintaining the Postal Department for the benefit of the dwellers in the city than for the benefit of the dwellers in the country.

Mr. SHACKLEFORD. If the gentleman will yield, I would like to say that the rural mail, of which the gentleman from Illinois [Mr. MADDEN] spoke yesterday, while it goes over the rural mail route, it is not altogether for the benefit of the country man, but it is the city man writing to the country man about matters in which the city man is interested, and the rural mail is just as much for the city people as it is for the country people.

Mr. PROUTY. What I am trying to say is this, that this country might begin now on this system of helping to keep the roads of the country in such a condition as to facilitate the transportation of food products, and otherwise, by the farmers and continue it a long time on the basis of this bill and the account would not be equalized.

Mr. COX of Ohio rose.

Mr. PROUTY. I yield to the gentleman from Ohio.

Mr. COX of Ohio. Our colleague from New York [Mr. FORNES] made the observation a while ago that the State ought to have considerable pride in keeping up these great highways. Is it not true that the Federal Government likewise should have just as much pride in paying the States for such use as it makes of any city utility, notably the highways? It was never the intent under the Constitution that the States should maintain post roads, because it is clearly a Federal utility.

Mr. PROUTY. I think that is a fair statement of the proposition. But touching upon that same question, if it is fair that the Government should pay the railroads for the transportation of mail over their tracks, after the Government has practically built and constructed those roads, it is certainly not unfair for

the Federal Government to pay the States for the use of the roads that the States built out of their own money. And I might just call attention, in this connection, to the fact that up to the present time the Federal Government has used all the highways that have been constructed at the expense of the local governments for the transmission of these mails without paying a cent for it, and yet the Federal Government is paying to those roads that it, in effect, built seven times as much as private individuals or corporations can secure their transportation for their products over the same roads.

Mr. FURNES. Will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman from Iowa [Mr. PROUTY] yield to the gentleman from New York [Mr. FURNES]?

Mr. PROUTY. With pleasure. I would like to ask the gentleman from New Jersey again if I can have a few minutes more, if these gentlemen take all of my time?

Mr. GARDNER of New Jersey. I will yield to the gentleman 10 minutes more.

Mr. PROUTY. I do not need it yet, but I may need it later.

Mr. FURNES. Is not a rural mail established for the convenience of the farmers?

Mr. PROUTY. Surely. So are the railroads built for the convenience of your people.

Mr. FURNES. Should the burdens, therefore, be borne by those who derive no benefit, entirely, or should they not be borne by those who are benefited more than by those who are not benefited?

Mr. PROUTY. Let me put this question to you: Ought not these cities along these rivers and harbors which get these vast sums of money pay for that local improvement since they get the great benefit?

Mr. FURNES. I say, decidedly, no; because the greater the shipping facilities the more valuable becomes the land, and the rivers and harbors are improved to increase the shipping facilities, not for the streets in the city, but for the large stretches of land in the country.

Mr. PROUTY. I am equally convinced that the improvement of the public highways in this country would increase every department of commerce as I am that the improvement of the rivers and harbors would.

Mr. BARTLETT. May I suggest to the gentleman, with his permission, this: That the community that may be benefited by this expenditure of money on public roads pays out about seven times as much as it would receive in benefit? And the community that got \$15 a mile would probably pay seven times as much to get it.

Mr. PROUTY. As I look at this question, it is a give and take. Some fellows have been taking and it is time some fellows were giving.

Mr. TRIBBLE. That is true with respect to New York, is it not, the city that the gentleman is speaking of, that gets all the money?

Mr. PROUTY. Yes. I am not speaking because I am specially interested in that part of the community, the rural part, because everybody knows that I live in a good-sized city. But no man who sits down and takes his pencil and keeps his conscience with him and goes to figuring can help coming to the conclusion that either through importunity or otherwise Congress has taken the funds of the United States and put them in the cities instead of in the country, and the time has arrived when the country farmer has the right to see some of it come back to his own community. [Applause.]

The CHAIRMAN. The 20 minutes' extension of the time of the gentleman from Iowa has expired.

Mr. PROUTY. I would like to have a little more time.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 10 minutes more to the gentleman.

The CHAIRMAN. The gentleman from Iowa [Mr. PROUTY] is recognized for 10 minutes more.

Mr. BARTLETT. I beg the gentleman's pardon for having interrupted him.

Mr. PROUTY. I realize that I can not approximately exhaust this subject that I have in mind, but I will endeavor to contribute one thought if I can, and that is that the Government owes this to her citizenship. Why do we expend these large sums of money in educational affairs? We do not spend them in proportion to the benefits received from the men who pay the taxes. We recognize that this Government can not stand, that the Republic can not be perpetuated, without an intelligent citizenship. And I want to say to you that the gravest question now before the American public, in my opinion, is how we can preserve this Republic.

When this Republic was first organized less than 4 per cent of our people lived in the cities. Ninety-six per cent lived in the country. There was clean politics during those times. We passed on until 1850, and then there was only 13 per cent living

in the cities. In 1890 the percentage had increased to 40 per cent, and by the last census it had increased to 46 per cent. Now, there is not a man within the sound of my voice who does not know that the country parish and the agricultural people are the stay of this Republic. [Applause.]

I have never been so profoundly impressed with that thought as I have been since I have served on one of the Committees on Elections in this House. In connection with my work on that committee I not only had occasion to examine several of these subjects as occurring in the last election, but I have also gone practically through all the precedents that have come to this House, and so far as my reading and observation have gone there is not a single precinct from the agricultural portion of the community in which there has been fraud, ballot-box stuffing, or any of those crimes that strike at the basis of our National Republic. These contaminations come from the large cities, and God save this country if we ever reach a time when a great majority of our citizenship comes from the cesspools of a congested city population. [Applause.]

Mr. BERGER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Wisconsin?

Mr. PROUTY. With pleasure.

Mr. BERGER. How about Adams County, Ohio [laughter], where even the preachers are shown to have accepted money in small sums for their votes? How about West Virginia? How about the rural parts of Wisconsin, my own State?

Mr. PROUTY. Did you notice my proposition? I did not say that no fellow that lived in the country had ever yielded to the temptation of the seductive money sent out from the city. No. I said that there is not a case recorded of ballot-box stuffing and those ordinary frauds of election in a country district. I admit, sir, that you fellows from the city, with your vast hoards of wealth, can go out and occasionally corrupt a few individuals in the country. [Applause.] If you will read the history of Adams County, you will find that every dollar of that corrupt fund came from the city. [Applause.]

Mr. SLOAN and Mr. BERGER rose.

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Nebraska?

Mr. BERGER. Does the gentleman accuse us of the inordinate use of money in elections? We have none. Our party is made up of workingmen. The highest wages I ever got was \$30 a week. The membership of the Socialist Party finances all its elections without any help or assistance from the outside. [Applause.]

Mr. PROUTY. I was referring chiefly to the Milwaukee accent. [Laughter.] I expect the Socialists did not spend much money to elect the gentleman from Milwaukee, but will the gentleman disavow that there was money used to defeat him in Milwaukee?

Mr. BERGER. The Milwaukee accent is the only true accent in the country to-day, accentuating the political and economic necessities of the future. That accent expresses the fears, the hopes, and ambitions of the working class as far as this House is concerned. The wealth of the gentlemen who do the bribing comes from the working class of both the city and the country. It is usually a part of the surplus value taken from the workingmen of the districts where it is used for bribing. It is not money coming from one section of the country and given to the other. It is wealth taken by one class from another class. A small part of this wealth is used to bribe the very class from which it has been taken.

Mr. PROUTY. Will the gentleman let me ask him a question? Does the gentleman believe that politics is as pure in the city as it is in the country?

Mr. BERGER. It is as pure in the class, conscious working class, of Milwaukee as in any country district I ever heard of. [Applause.] I have just a slight suspicion that the gentleman never lived in the country and is a stranger to real pure country politics.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Nebraska?

Mr. PROUTY. Yes.

Mr. SLOAN. Now that we have discovered the man for whom Diogenes was looking with his lantern [laughter], it is in order to ask some questions. Now, can I ask the gentleman this question: Is not Adams County necessary as the exception to prove the rule to which the gentleman just referred a moment ago?

Mr. BERGER. Mr. Chairman—

Mr. SLOAN. I should like to have the answer of the gentleman from Iowa [Mr. PROUTY].

Mr. BERGER. Very well.



Mr. PROUTY. The fact that these gentlemen all think of only one county in the United States, in all its history, is a rather suggestive thing. On the other hand, I could stand here by the hour and point to cases in the cities. If the committee would extend my time I would agree to take the rest of this afternoon in pointing out the specific instances.

Mr. BERGER. I should like to hear the gentleman do that. It would be mighty interesting.

Mr. PROUTY. But here is what I am trying to impress upon this House, that the stability and purity of our Republic depend upon the fact that we maintain a large per cent of our population in the rural districts. [Applause.]

Mr. BARTLETT. I will ask the gentleman if George W. Perkins lives in the country? He furnished the campaign funds for one of the presidential candidates.

Mr. PROUTY. Do not let us mix any politics in this. I confess I have become thoroughly disgusted with the Members of this House on both sides trying to convert the halls of Congress into a political hustings. [Applause.] I think we should discuss other questions here, questions upon which we can legislate and not questions on which we may differ in politics.

What I wanted to say was this: Whatever will drive from the city and its miasmas a portion of our people and put them in the wholesome, invigorating, moral atmosphere of country life is a matter that should receive the attention of the highest authorities of the Government and the candid support of every man who loves this country and its institutions and desires to perpetuate them. [Applause.]

There is nothing that will do so much to add to the population of the rural districts as the improvement of our highways. Men do not like isolation. Men like to be in communication. You may shout, "Back to the farm; back to the farm," until you are hoarse. Men will not go there in the mud and they will not stay there in isolation. You have got to make their conditions pleasant. You have got to help surround them with conditions that will attract them there. You want something that will draw people from the city out into the country. You want something that will keep the farmers' boys on the farm, and there is nothing that will do that like good roads.

The director of roads of the Agricultural Department of this Government took occasion to compile some statistics upon that question. I will only take time to call attention to two specific cases. The director of roads caused 25 counties to be taken indiscriminately, counties in which there were no macadam roads, and during the census period between 1890 and 1900 those counties shrank in population an average of 3,112 persons. He also picked 25 counties indiscriminately where there was a large mileage of improved roads, where 40 per cent of the roads were improved. During that same period of 10 years each of those counties on an average increased in population 31,095 people. You can not point to a better illustration of the beneficial effect of good roads. If we had good roads all over this country we would draw from the cesspools and miasmas of the city enough of our people into the wholesome atmosphere of the country to purify our politics. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. Kono] 30 minutes.

Mr. KONO. Mr. Chairman, it is very seldom that I impose upon the time of this House. In the short space of time that I have in the discussion of this important bill I can only discuss briefly and generally some of the main features of it. And at the outset I want to commend the great Committee on Post Offices and Post Roads for bringing in this bill. Although I do not approve of all the provisions in it, there are so many new and meritorious provisions in it that it commends itself to every American citizen.

Mr. Chairman, this is not a political measure. I agree with the gentleman from Iowa [Mr. Prouty] that the consideration of this bill should not be a political matter. No Member of this House should make political capital out of any propositions that are submitted in this bill. It is a business proposition. We are appropriating money for the carrying on of the greatest business enterprise of this great Government. We are appropriating money for its expenses which we hope will be turned back into the Treasury. We are also in a great measure in this bill providing for the regulation of this department. And so I say it should not be made a political measure. Any proposition that is offered under the special rule by way of an amendment or any proposition in the bill should not be treated with a view of making political capital out of it.

To illustrate that this bill is purely a business proposition, and to illustrate its importance as a business proposition, I want to cite you lines 14 and 15, on page 18, where you will find in these two lines this statement:

For inland transportation by railroad route, \$47,646,000.

In 14 words of this measure we find we are appropriating nearly \$50,000,000 to pay for only a part of this great enterprise. There is nothing more said, and we are simply turning out of the Treasury of the United States the exorbitant sum of \$50,000,000.

The chairman of the Committee on Post Offices and Post Roads, in presenting this bill to the House, made the assertion that the express companies of this country are paying the railroads on an average three-quarters of a cent per pound for carrying the express packages, while the railroads are charging the United States Government 5 and 6 cents a pound for carrying the Government mail. And yet, in this bill, in these two lines, we appropriate the sum of nearly \$50,000,000, and nothing is said as to whether we are going to in any way regulate as to what contracts shall be made with the railroad companies.

I think that probably some time some law will be placed on the statute books to regulate this proposition. I realize that such a measure would not be in order to be inserted in an appropriation bill. We talk about economy, and we pride ourselves on economizing a little here and a little there, and yet this enormous sum of \$47,000,000 is appropriated in two lines and nothing is said about economy; nothing said about the sum we might be able to save. I think we might be able to save from 1 to 2 or 3 and perhaps 10 million dollars on this one provision of the bill.

In the consideration of all these appropriation bills the committees of this House are usually governed by the estimates as they are made. Without reading to you the different estimates of the departments I will insert them in the Record:

*Statement of estimates of appropriations for 1913.*

[Excluding sinking fund and postal service payable from the postal revenues.]

ESTIMATES, INCLUDING PERMANENT ANNUAL, 1913.

DEPARTMENTS, ETC.	
Legislative .....	\$12, 992, 733. 68
Executive .....	848, 170. 00
Department of State .....	4, 655, 117. 41
Treasury Department:	
Treasury Department, exclusive of public build-	
ings .....	49, 008, 806. 75
Public buildings .....	5, 083, 100. 00
New revenue cutters .....	350, 000. 00
War Department:	
War Department, exclusive of rivers and harbors .....	122, 696, 205. 43
Rivers and harbors .....	31, 520, 038. 00
Navy Department:	
Navy Department, exclusive of building program .....	116, 245, 212. 46
Navy building program .....	12, 911, 800. 00
Department of the Interior:	
Department of the Interior, exclusive of pensions .....	38, 121, 214. 60
Pensions .....	152, 687, 750. 00
Post Office Department, exclusive of postal service .....	1, 642, 190. 00
Department of Agriculture .....	22, 939, 452. 00
Department of Commerce and Labor .....	15, 950, 268. 50
Department of Justice .....	10, 608, 630. 90
Territorial governments .....	287, 700. 00
Independent offices .....	3, 017, 893. 12
District of Columbia .....	13, 579, 520. 50
Interest on the public debt .....	22, 775, 000. 00
Ordinary .....	637, 920, 803. 35
Panama Canal .....	47, 263, 760. 20
Total .....	685, 184, 563. 55

These estimates show that upward of \$700,000,000 is estimated for by the heads of departments for the different committees of the House of Representatives to appropriate the money for carrying on the business of the Government.

Who is it that prepares the estimates? Some department clerk, and that department clerk below refers it to the man ahead, and so on up until finally the head of the particular department approves of the figures and they are sent over to the committees of the House of Representatives. In that way the estimates reach the committees. It is true that the committees of the House of Representatives scrutinize these estimates—it is true that they cut down here and there a few hundred thousand dollars from the estimate—and yet I believe that some different system ought to be devised, so that the committees of this body would know exactly how to cut these estimates down. There ought to be some commission or body that could go and investigate and find out what the needs of the departments really are.

Mr. Chairman, by a special rule, adopted on last Thursday, certain great questions were made in order by way of amendment to this bill. I know there is not a man on the floor of this House who would not be happier if he did not have to vote on some of these propositions, and I confess that I would be unusually happy myself.

The first proposition made in order by the special rule is one providing for steel mail cars or steel underframes for mail cars or equally indestructible material. I do not think there can be any opposition to that provision in the bill. We all know that mail cars on trains are next to the tender of the locomotive, and in case of a wreck the wooden mail car is the one that is

usually smashed to splinters. The loss of life in the railway mail clerk service has been appalling, and it is high time that this provision is made by the railroad companies to protect human lives. Having fresh in our minds the recent terrible disaster at sea should spur us on to provide speedily by law for the protection of life and limb by all public-service carriers. It would be nothing less than criminal to shut our eyes to this reckless slaughter of life on land and sea when it can be avoided. That it will necessitate an extra expenditure of money on the part of the railroad companies to provide steel mail cars is true. That to amply provide for safety at sea will mean extra expenditure is equally true. But we must not place money above human life. We must not measure life by dollars. If we can save one human life by providing steel mail cars, we have saved more than the price of them all.

Under the special rule adopted, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, as they appear in the pending bill, are in order.

The purpose of section 2 is plain. It protects the Government from bidders who have entered into a combination to fleece the department. Section 3 provides for the giving of bonds by Navy mail clerks and assistants. Section 4 relates to the weighing of mail.

Section 5 provides for an 8-hour day for certain letter carriers and not to exceed 10 consecutive hours of work. It is also provided that in cases where the service requires an excess of 8 hours there should be extra compensation for the excess. The committee certainly ought to be congratulated for this provision. There certainly ought to be no public servant of any Government who should be required to work more than 8 hours a day. I think the time is not far distant when employers of labor all over the world will accede to the demand of labor for an 8-hour day.

Section 6, I think, treats of one of the most important matters in this bill. It gives every man in the postal service a chance to be heard in case of any charges against him which warrant his discharge. It also abolishes the much-spoken-of "gag rule," which was so forcibly introduced by the "Big Stick" and so tenaciously adhered to by his successor until very recently, in order to fully carry out the so-called Roosevelt policies. All this was done in a free country. It is strange that Congress has not abolished these despotic orders before. The humblest laborer in private employ is usually apprised of the reasons for his discharge. Even the meanest criminal is not denied the right to have specific charges preferred against him and a chance to be heard. And in this country to think for one moment that men in the public service should be denied the right to be heard would mean the denial of citizens their rights as citizens. Any man in public service should have a right as a citizen to know why he is discharged from public duty, and as a citizen should certainly have a chance to be heard. This is nothing but fairness and justice. It is a right inherent in every American citizen. To be heard in defense against any accusation is a fundamental right of American citizenship. It ought to be an inherent and fundamental right in every country. For years American citizens under civil service in this free country have been denied the right to be heard. By a "gag rule" they have been denied any right to complain and present their petitions and grievances. They had to submit, like slaves, to the orders of superiors. I do not believe that an American citizen when he enters the civil service should by that act lose his right as an American citizen. Such a rule, instead of promoting discipline and efficiency, produces the worst kind of tyranny, and that the postal clerks of this country have so long submitted and that the American Congress has so long permitted such a rule of despotism to prevail in this country is beyond comprehension.

Section 7 provides for a reclassification of railway postal clerks. It provides 10 grades, at salaries ranging from \$900 to \$1,800. I do not know much about classification, but I believe that in the civil service to-day there are too many classes in classifications. I believe that there ought to be less classes and more pay provided for those in the lowest class. Upon investigation in the different departments we will find that those in the lowest classes do most of the work and get the least pay. In our plan of economy it would be wiser to economize by decreasing the salaries of those at the heads of the departments and pay a living wage to those who do the work.

Section 8, which has been made in order, provides for a rural parcel post and also for the appointment of a commission to investigate the feasibility and propriety of establishing a general parcel post. If I understand rightly the provision for a rural parcel post, it ought to be amended so as to provide for a complete rural parcel post. As it now reads, it provides for the delivery of packages on those routes only on which they are collected, so that a carrier on route "A" can not collect a package to be delivered on route "B," starting from the same

office. If this is to be the provision of the law, when the time comes if no one offers an amendment I shall offer one providing that packages may be delivered on all routes starting from the same office. If this is not amended, it will only benefit those merchants who have their places of business at the place where the post office is. For example, suppose that a country storekeeper, who resides at an intermediate point on route "A," has an order from a farmer who lives at an intermediate point on route "B," it will be impossible, under the provision in the bill as it now stands, for this country storekeeper to have this package delivered by rural carrier to the farmer on route "B." I think that the rate provided for carrying parcels on rural routes is unreasonably high.

Now, as to the proposition of providing a commission to investigate the feasibility and propriety of the establishment of a general parcel post, I do not believe that this commission will do any good. All such a commission would do would be to take testimony for and against parcel post. As the matter now stands, such testimony would be nothing more than cumulative. We have had enough testimony on this subject. We know the operation of parcel post in other countries. It takes no commission to ascertain facts about its operation in those countries. The proper way to determine the practicability is to start in the same way as we started our rural free delivery. The best way is to authorize the Postmaster General to establish a general parcel post in different sections of the country, and in a year's time of its practice we can find out more about its practicability and feasibility than by investigations by commissions. If we can not have a general parcel post nor postal express, why, then, let us at least have an experiment of it and find out something definite as to its practicability. I think that instead of a commission, if an appropriation, say, of \$100,000 were made and the Postmaster General authorized to start in different sections of the country a system of general parcel post that inside of a year we could find out more about the practicability and the feasibility and advisability of extending the system throughout the entire Nation than in any other way. We would have something practical, but if we have a commission simply to take evidence and investigate, we would have simply evidence. We have enough evidence on the subject as it is. I have here a book which contains explanations of the system of parcel post of every country in the world, and I do not see what more information such a commission can give us. So I say that I think that the better plan would be to experiment in this matter, experiment as you did with the rural-delivery proposition. We started one route and then started another, and we started them in the East and in the West, until to-day this entire country is covered with a network of rural routes. If we are to have any system at all, if the Government is to go into the parcel-post business, the best way to find out whether we want a parcel post is to start, as I say, an experimental parcel post, say, for instance, in New England, and see how it works and then take a section in another part of the country and start it there, and at the end of the year the Postmaster General can give us some substantial information on the practicability and the feasibility of the subject of a general parcel post.

Mr. Chairman, why this demand for a parcel post on the part of a great majority of American citizens? Why, on the other hand, such a determined opposition from a large number of citizens? On the one hand it is charged that the express companies are opposing parcel post, and Members of this body, if they oppose parcel post, are accused of being in league with the express companies. On the other hand, it is charged that the catalogue houses are back of the movement for a parcel post, and that Members of this House who favor parcel post are in league with the great catalogue houses. Neither accusation is true. Members of this House who favor a parcel post do so because they honestly believe in it, and those Members who oppose a parcel post are just as honest and sincere in not believing in it.

The analysis of arguments for and against a general parcel post is probably best stated by the committee, on pages 8 and 9 of the report:

One of the most difficult questions connected with proposed postal progress arises with the suggestion to create a general unlimited parcel post for the transportation of merchandise at a flat rate of 8 cents a pound or less, with a limit of 11 pounds or a greater number of pounds.

The advocates of this proposition insist that the rate on fourth-class matter (merchandise) was at one time 8 cents a pound with no loss of revenue, but an increase of revenue; that the zone system of transportation charges used by the express companies is unnecessary and cumbersome; that express companies pay wheelage to railroad companies and divide profits and still make annually colossal profits at the expense of the people; that it is the right of the people to use the mails for their own benefit and the right of the consumer to buy wherever he can secure the best bargain, whether it be at home or in another State or city, and that the complaint of this view is from selfish sources; that a largely increased revenue will come to the Government from the system and advantages and blessings to the whole people in its operation.

The opponents of a general unlimited parcel post insist that it will tend to concentrate business in the large cities and be injurious to rural



communities and small towns and cities; that it is a step in the wrong direction—paternalistic and dangerous in its tendencies; that it would create an enormous deficit in the Post Office Department; that it would revolutionize the commercial system in the United States; that it would seriously delay the delivery of legitimate mail; that it would deplete or destroy the prosperity of innumerable country towns and villages, and therefore must be regarded as a menace to the welfare of all the people; that it is class legislation in that it discriminates against the country merchant and favors the great retail mail-order houses; that it is in effect a subsidy to the retail mail-order houses—wrong in principle and unfair in practice; and they further insist that a rural parcel post would be an entering wedge for a general parcel post.

The most of people living in the country and engaged in agriculture and other pursuits, so far as we can secure information, and the larger mercantile establishments in the great cities favor an unlimited parcel-post law. The country merchant and nearly all merchants of the smaller cities and towns oppose the law. This seems to be the alignment. Self-interest, the mainspring of most of our actions, seems to be commanding in both factions. We do not think that the advantages claimed for the establishment of this post will be so great as its ultra-friends claim, nor that the disadvantages would be nearly so great as its enemies fear.

Mr. Chairman, the question of parcel post is nothing but a question of transportation rates. For years the express companies of this country have been charging the people exorbitant rates for the transportation of parcels and packages. The average express charge in this country is \$31.20 per ton, while the average freight charge is \$1.90 per ton. This makes a ratio of 16 to 1. In other countries the ratio of average express charges to average freight charges is from 3 to 1 to 9 to 1. I will insert in here a table compiled in Senate Document 379, on page 11, which shows the ratio of average express charges to average freight charges in 11 countries:

*Ratios of average express charges to average freight charges in 11 countries.*

Countries.	Average express charge per ton.	Average freight charge per ton.	Ratios of average express to freight charges.
Argentina.....	\$6.51	\$1.95	3.2 to 1
Austria.....	3.77	.74	5.0 to 1
Belgium.....	4.92	.53	9.3 to 1
Denmark.....	5.49	.87	6.3 to 1
France.....	6.88	.95	7.2 to 1
Germany.....	3.80	.76	5.0 to 1
Hungary.....	3.68	.93	3.9 to 1
Netherlands.....	2.43	.67	3.6 to 1
Norway.....	1.90	.49	3.8 to 1
Prussia.....	4.32	.86	5.0 to 1
Average for 10 countries.....			5.23 to 1
United States.....	27.61	1.90	14.53 to 1

<sup>1</sup> Belgium delivers parcels.

What merchant has not complained of these exorbitant express rates? What man who has paid an express charge on a package has not stood amazed at the unreasonable charge? A general parcel-post bill will not completely solve this problem. This Government can not, under present charges that the railroads are making for carrying our mails, compete with the express companies. As I said before, the chairman of the Committee on the Post Office and Post Roads, in his speech presenting this bill, made the statement that the railroad companies are carrying parcels for the express companies at an average of three-fourths of a cent per pound, while at the same time they are charging the Government as high as 5 and 6 cents per pound for carrying the mails. The Government can not compete with the express companies under such unfavorable conditions. The Government would get the long haul and lose, and the express companies will get the short haul and make more profit.

I believe that the solution of this transportation problem lies in the propositions as proposed by the gentleman from Ohio and the gentleman from Maryland. The proposition is to eliminate the competition of express companies by taking them over. This system that they propose, the system of postal express, is the best solution of the problem. This will not only benefit the farmer and laborer, but it will also benefit the country storekeeper. It will give quick and adequate transportation for small shipments equally to all. Mr. Chairman, I heartily favor the proposition of postal express. I believe it is far superior to any parcel post that we may adopt, and it being in order under the special rule, I shall vote for it.

Mr. WILLIS. I am very much interested in the gentleman's discussion of this subject, and before he leaves this particular part of it, I would like to know what plan he has in mind for the financing of this project. How much money would it cost to take over the express companies? How is all that to be cared for? It seems to me that is important.

Mr. KONOP. I have not investigated the matter, but I am informed the total assets of the express companies are in the neighborhood of \$30,000,000—

Mr. LEWIS. May I venture to answer the gentleman's question; may I take so much of the gentleman's time?

Mr. KONOP. Certainly.

Mr. LEWIS. There is naturally considerable curiosity as to that phase of the proposition. The express companies, according to the latest report, have an aggregate capitalization of about \$200,000,000. Of that \$200,000,000 about \$160,000,000 represent investments in railroads and other companies, and about \$40,000,000, according to their own statement, will be capital of any kind devoted to the express business. Of the \$40,000,000 they claim about \$10,000,000 for franchise and good will. With reference to that item, I may say that express companies have no franchises whatever. A franchise represents a grant of a privilege, usually exclusive in its nature, from the sovereign power, the State or the Government, to some persons, corporate or otherwise. They have no such grant of a privilege, or, for example, the right to lay rails on a street or pipes under the street or wires below or under the street. Therefore, franchise value is entirely eliminated from the proposition. With reference to good will, the law of eminent domain seems to settle that question. Good will is not an item to be considered in condemnation proceedings in the way of compensation to which the party may be entitled, and court authorities may be adduced and will be adduced for that proposition.

Finally analyzed, there seems only one artificial value that the Government might have to make payment in taking over the express property. That artificial value is an item of about \$5,000,000, which is said to represent advanced payments by the express companies to the railways to obtain their contracts. I do not think personally even those advanced payments are proper obligations, because they represent in a sense a compounding of an offense between the express company and railway, namely, the granting of exclusive transportation privileges in contravention of the Federal and the common law as long as they have been known.

I beg the gentleman's pardon for consuming so much of his time. [Applause.]

Mr. WILLIS. Will the gentleman yield for me to ask another question of the gentleman from Maryland? Now, the gentleman stopped just at the point where I wanted him to go on. As I get it, there are about \$30,000,000 that will be involved?

Mr. LEWIS. Not over \$20,000,000, according to the latest report. And even if the good will and franchise claimed by them were admitted, not over \$30,000,000.

Mr. WILLIS. Say it is \$30,000,000. Then it is proposed that the bonds of the Government shall be sold to raise this amount. Is that the idea?

Mr. LEWIS. This bill does not so provide, but the bill reported favorably by the Commerce Committee makes it a charge upon the Treasury to be paid by the Treasury as the awards are found.

Mr. WILLIS. Well, the gentleman knows it is quite evident that the revenues are not in such a state as to permit immediate payment. It would be necessary, I take it, to issue bonds and increase the bonded debt to that extent.

Mr. LEWIS. But the act of payment would not develop until a year or two hence, I may say to the gentleman.

Mr. COX of Ohio. Will the gentleman yield to me for one question? I would like to inquire whether—

Mr. WILLIS. But we must prepare for all of these things now.

Mr. SHACKLEFORD. This excise bill that is pending in the Senate now will provide for that.

Mr. COX of Ohio. Will the gentleman yield?

Mr. KONOP. Yes, sir.

Mr. COX of Ohio. You fix the sum of \$30,000,000. Is that determined in your mind by the valuation of certain physical assets the express companies now have that we ought to have in carrying out this utility, or is that a sum fixed in your mind by a certain sense of equity that we ought to pay to the express companies?

Mr. LEWIS. It is a sum fixed definitely by the inventories and statements made by the express companies to the Interstate Commerce Commission.

Mr. BORLAND. I have here the report of the Interstate Commerce Commission as to the express companies, and in the hearings before the Subcommittee on the Post Office and Post Roads Committee is given the value of the real property and equipment of the express companies, and for the year 1908 it is \$23,000,000, of which only \$7,300,000 is cars, horses, equipment,

and vehicles. So of the \$14,000,000 there is probably a large amount that would not be available for the Government's use.

When we come to the year 1909 the total value of the equipment is \$9,234,000.

Mr. COX of Ohio. But we are not required to take it over?

Mr. BORLAND. I think a large amount of that real estate will be found to be business property in large cities that can be left in the hands of the express companies—property that is like railroad investments.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KONOPE] has expired.

Mr. LEWIS. Mr. Chairman, since I am responsible for consuming so much of the gentleman's time—

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KONOPE] has expired, and the gentleman from Tennessee [Mr. MOON] has control of the time.

Mr. MOON of Tennessee. Mr. Chairman, I yield 10 minutes more to the gentleman from Wisconsin [Mr. KONOPE].

Mr. KONOPE. I thank the gentleman from Maryland, and he can use the balance of my time to answer questions after I am through.

I want to say something about section 9, which provides for the compensation of rural carriers at \$1,074 per annum on a route 24 miles in length, and the sum of \$44.75 per mile per annum on a route of greater length than that. Rural carriers have to perform their service in all kinds of weather. They have to maintain their equipment and repairs, and also, in the northern parts of this country, they have to endure the elements, the snow, and everything else. So I think they are poorly paid, and I do not think there ought to be a rural carrier in this country that ought to get less than \$100 a month.

Mr. HAMLIN. Will the gentleman yield?

Mr. KONOPE. I will.

Mr. HAMLIN. Has the gentleman's attention been called to this fact, that the department in charge of the rural work construe the present law always against the interest of the man who carries the mail. To illustrate, they will make a route 26 miles long, but pay the carrier only that which he would get for 24 miles. But if it drops below 24 miles his pay drops to the next lowest point. If you will just permit a word, I will say that this last week I sought to have two different routes readjusted. In order to do it it would bring them both within the 24-mile limit. One carrier was then traveling a fraction over 26 miles. They refused to do it because it would increase the pay to the Government \$100 a year, but they would make the fellow carrying mail on the 26-mile route carry it for the same money that they would have to pay him on the 24-mile route rather than to pay \$100 by extending the other route. So I say they seem to construe the law always against the fellow who carries the mail, and it is not fair.

Mr. KONOPE. Undoubtedly that is true.

Now, Mr. Chairman, as to the provision regarding the highways. The provision for the improvement of rural highways is as follows:

That for the purpose of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches, so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the cus-

tody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

For a long time the highways of the States and other subdivisions have been used for carrying United States mail, and not one cent has been paid by the General Government for their use. We are paying millions every year to the railroads and yet pay nothing for the use of the rural mail roads. I think if this provision is incorporated in this bill it will be a great incentive to building good roads.

In 1909 the total mileage of public roads in the United States was 2,199,645 miles. Of this only 190,476 miles, or about 8½ per cent of the total mileage, was improved. From these figures it clearly appears that our roads need improvement. Thus far the General Government of the country has spent nothing for road building, nor has it paid anything for their use by the Post Office Department. France, which has the best system of roads in the world, has spent \$613,000,000 on that system. While, owing to the great distances, this country would have to spend much more, probably \$2,000,000,000, but this expenditure would not need to be made at once. This expenditure when spread over a period of 10 or 20 years does not amount to so much each year. Under the plan proposed by this amendment we are not proposing to go into the road-building business, but we are simply providing for pay for the use of the improved roads. Suppose all of the 190,476 miles of improved roads in the United States were in class A, and suppose that all of this improved mileage was used by the Post Office Department, the Government, for the use of the 190,476 miles of improved roads, would pay the sum of \$4,761,900. But there are very few miles of road in this country that come under class A, and not all the improved roads are used by the rural carriers. Deducting for these conditions, I believe it would cost the Government less than \$1,000,000 for use of roads, but this provision would be an incentive to the making of improvements by States and counties worth billions of dollars.

But, Mr. Chairman, under the plan we are now proposing we are not going to build post roads, although we have the constitutional power to do so. We are going to stimulate the building of good roads. We are going to pay what we ought to pay for the use of the roads that are built up by the rural communities, the counties, the towns, and the States; and, so I say, if this provision is put into the bill it will be a great incentive to the building of good roads.

The last proposition made in order by the special rule is as follows:

That it shall be unlawful for any person or persons or association or corporation to enter or to have entered into the mails of the United States any newspaper, magazine, or other periodical of like kind unless such publication shall have plainly printed in a conspicuous place therein the name or names of the managing editor or managing editors, the name or names of the publisher or publishers, and the name or names of the owner or owners, including all stockholders owning stock of the par value of \$500 or more, of such periodical publication. Any person, association, or corporation who shall violate any provision of this act shall be punished, for each violation of any provision thereof, by a fine of not less than \$100 nor more than \$1,000.

This provision simply extends our publicity legislation. The newspapers and magazines, which are such a factor in molding public opinion on public questions, ought to disclose who their owners are. If campaign committees and candidates for public office should disclose the source of the money for campaign expenses, why should not the newspapers and magazines, whose editorials have a greater influence over the campaign than the distribution of money? In this day, when men in public life and candidates for office are so much lauded and so much criticized by the press, is it not but fair to the reading public that it may know who is directing the praise and who is doing the criticizing? [Applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LITTLEPAGE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed, without amendment, bill of the following title:

H. R. 21170. An act granting to the El Paso & Southwestern Railroad Co., a corporation organized and existing under the laws of the Territory and State of Arizona, a right of way through the Fort Huachuca Military Reservation in the State of Arizona, and authorizing said corporation and its successors or assigns to construct and operate a railway through said Fort Huachuca Military Reservation, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 836. An act for the relief of Joel J. Parker;



S. 3116. An act to amend sections 1 and 2 of the act of Congress of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," so as to include State land selections, indemnity school and educational lands;

S. 3607. An act to direct the Attorney General to take an appeal to the Supreme Court of the United States from a decree entered by the circuit court of the United States in and for the southern district of New York in the suit of the United States v. The American Tobacco Co. and others, and extend the time for taking such appeal, and for other purposes; and

S. 3846. An act to authorize a waiver of trial by jury in the district courts of the United States.

#### POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Indiana [Mr. CLINE].

The CHAIRMAN. The gentleman from Indiana [Mr. CLINE] is recognized.

Mr. CLINE. Mr. Chairman, I desire to enter my protest against conditions as they exist in the railway postal service. There are no more faithful servants of the Government than the railway mail postal clerks. No class of men put in more hours, undertake greater hazards, or are as poorly paid, considering all conditions, as the railway postal clerk. The treatment he receives in some divisions is a disgrace to the department and deserves the censure of every man who wants to see fair and honorable treatment given the Government's employees. In the first place his employment ought to be made as safe for him as possible. The old wooden-box postal cars, attached to the engine and tender and reinforced by a heavy passenger car of steel construction makes the postal car the recipient of all danger in ordinary accidents. The extravagant rental price the Government pays for these wooden boxes called railway postal cars ought to command the most efficient and best built steel cars that could possibly be made. I am aware that there is a requirement that the road shall equip the service with steel cars by 1917. The limit of time when that act was passed ought to have been reduced.

As to compensation, no one will dispute the fact that there is more required of a postal clerk than of any other person in the service. He must have a greater range of accurate knowledge of train schedules, connections, and so forth, than any other person. Not only must he have the proper knowledge so as to make the best connections under all conditions on his own road, but he must have knowledge of schedules on distant connecting roads. He must also have knowledge of how to make the best connections in throwing mail in traveling both directions on his own road. For instance, he may be able to reach a certain town on a connecting line by throwing for a certain road in going west, while in going east on his road it may be necessary, because of a change of schedule, to throw the mail for the same town to an entirely different line. These facts are not generally known to the public. Little accurate knowledge reaches the public as to the requirements of the postal clerk.

The pay is inadequate—not in keeping with the services performed and not in keeping with the wages paid in other lines of postal work. Let me illustrate. Girls in second-class post offices acting as stamp clerks are able, if they have been in the service some time and have had the promotions the law anticipates they will be entitled to, sit on a chair and exchange stamps for cash, simply a mechanical process, requiring no ability except that necessary to make correct change; no mental strain, no long hours, not subjected to the loss of life by accident, and get more money for it without incurring any danger than a postal clerk gets after years of service.

I invite the attention of the House to some of the hardships postal clerks have to submit to in the fifth division. I represent a district through which a very large percentage of the transcontinental lines pass and have some knowledge of the conditions that exist. I do not base any criticism on my own information, which, of course, is hearsay, but I am including in these remarks an extract from a letter written by one of the postal clerks on the Pennsylvania system. I have many letters from postal clerks that corroborate this statement. This letter is of very recent date, written from Chicago, and, among other things, contains the following complaint:

I am forced to say that the conditions in the fifth division are anything but promising. Our superintendent at Cincinnati, Ohio, does not appear to have any mercy or soul. He is using the lash at every turn, creating strife in the ranks, and trying to force two days' work out of every man for his own glory, not for the good of the service rendered to the people. The following are some of the requirements that are not in force on some of the other divisions: First. Requiring men to move to terminals, either to Chicago or Pittsburgh, where rent is so high and living so costly that we can not make a decent living. Second. Requiring examinations to be thrown in larger sections so as to increase the difficulty of passing and consequently decrease the pro-

motion. Third. Holding up promotions so as to keep down expense of running the system. Fourth. Working the men in the terminal office while they should be at rest. For example, men who worked all night on a run from Pittsburgh to Chicago were required to work six hours in the terminal office following the arrival of the train. Fifth. Men on the postal service out of Pittsburgh at 3 p. m. arrive in Chicago at 7:30 a. m. the next day, 16½ hours of continuous labor, all the time on their feet, and then required to work 6 hours additional at the terminal. Sixth. The fact is that the mail is carried sometimes three times over the road before it is finally discharged, and this because there are not men enough working the 17-hour trips to distribute it, and all for the glory of the retrenchment of the present postal system.

The charges or complaints in the sections I have quoted are not made by a single individual, but by a number of efficient employees whom I know. I do not believe this Government, administered by careful and efficient men, would permit the injustice to employees above set out if it shall have accurate and definite knowledge that these conditions exist. I am confident that many Members of the House are able, through their correspondence with postal clerks, to substantiate the charges made by the faithful servant from whose letter I have made these extracts. The Government can not lightly pass by these complaints. A complete reorganization of the postal system is necessary if exact justice is to be done to all classes employed in the postal service.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Missouri [Mr. BORLAND].

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] is recognized.

Mr. BORLAND. Mr. Chairman, the proposal to include in the pending postal bill a provision for the establishment of a parcel post opens the entire subject of the relation of carriage of merchandise to the postal service. It is apparent that there is a distinction between the carriage of intelligence and the carriage of merchandise. Postal service was established and has always been maintained primarily for the purpose of conveying intelligence. Such transportation of merchandise as it has engaged in has been of minor and incidental character, not sufficient to have any appreciable effect upon any branch of the transportation business. In the transportation of intelligence, speed and convenience are the controlling elements; distance plays an important part, but bulk and value are of less consequence. In a great Republic such as ours, the successful conduct and perpetuity of which rests upon the intelligence of its citizens, their acquaintance with public affairs and the needs of the country and their unity of interest, commercial and political, it is difficult to overestimate the importance of the great functions of the Postal Department in the transmission of intelligence and the wide diffusion of knowledge. Whether the message be of a private or public character, it is of the highest importance to the Nation as a whole that it should be within the reach of every citizen, however remote his dwelling or humble his station. We therefore do not count the individual cost of the transmission of a letter. The expense involved is not determined so much by weight and distance as it is by the amount of labor and handling which each piece of mail receives. The principles underlying the postal service, the great agency for the transmission of public and private intelligence, are radically different from those underlying the business of transportation of merchandise. When we approach the problem of transportation of merchandise we must approach it upon principles new to the postal service, but not new to the business world.

The pending bill makes three changes in the provisions for the carriage of parcels:

First. The rate of fourth-class matter is reduced from 16 cents to 12 cents a pound, except as to packages originating upon and destined to points on the same rural route.

Second. It increases the limit of weight on fourth-class matter from 4 pounds to 11 pounds.

Third. It provides that on packages originating on and destined to points on the same rural route a special low rate of 5 cents the first pound and 2 cents each succeeding pound, or a total of 25 cents for the maximum weight of 11 pounds, shall prevail. The first two changes will probably have very little effect in practice and will not materially increase the extent or earnings of the postal business. It is said in a general way that they remove an anomaly now existing growing out of the difference between the postal regulations of this country in its domestic business and the regulations which it has adopted on foreign business in conformity with the International Postal Union. Under the agreement with the International Postal Union a package may be mailed between any of the countries parties to that union at the rate of 12 cents a pound and with a maximum weight of 11 pounds. Thus a privilege seemed to be extended to foreign packages which was not extended to domestic packages. As a matter of fact, however, the only use ever made of such rate was for the transmission of Christmas parcels and other noncommercial transactions.

It had no effect whatever upon general commerce for the simple reason that the rate is too high to justify any class of business men in making use of it in ordinary trade. Twelve cents a pound is \$1.32 for an 11-pound package, even though the distance were only a few miles. This is at the rate of \$240 a ton, when the average express charges are only \$31.50 a ton and the average freight charges about \$1.90 per ton. It is hardly to be supposed that even the reduction of the rate from 16 cents to 12 cents will result in any packages being moved whose weight is greater than 2 or 3 pounds. From a weight of 5 pounds upwards the rate is almost universally cheaper by express.

The establishment of a flat rate of 12 cents a pound, whether the distance be 1 mile or 3,000 miles, violates, however, every economic law relating to transportation, as well as all teachings of experience. In the transportation of merchandise rates must be graded according to distance, weight, and value. A flat rate, which disregards all these essential factors except a crude division on weight, is unscientific, unjust, and, in the long run, impractical. The rate is too high for a short haul and too low for a long haul. It is assumed by the hasty thinker that the loss on the long shipment will be made up by the overcharge on the short shipment, and thus an average of receipts will be struck that will enable the Government to conduct the business without loss. In practice no such average will occur. The Post Office will get the long shipments that it offers to carry at a loss, and will not get the short shipments, except in the incidental cases where convenience overbalances the question of rates. Moreover, it is neither honest nor wise in the transportation business to make one man pay the loss on another man's shipment. A flat rate on shipments must be abandoned at the very outset. As has been pointed out repeatedly in this debate a flat rate can not move traffic. There is no such thing as a flat rate for moving traffic as a competitive matter in the transportation business. When these gentlemen have gone before the Post Office Committee and talked about the parcel posts of Europe, all of them have left out of sight the fact that the only country in Europe that has anything approaching a flat rate is Great Britain, with a very small and compact territory, and her rate is 6 cents a pound, whereas ours is 12 cents. How much that affects the transportation business of Great Britain I do not know, but Germany, which has been referred to so frequently, has the zone system and a graduated scale of charges.

The third change, however, proposing the establishment of a rural parcel post, and which I understand is the recommendation of the Postmaster General, is the most vicious element of the bill. It has often been said by zealous advocates of parcel post that the only reason why Congress did not inaugurate such a system was the influence of the express companies. In other words, parcel post has been treated as a measure of relief from express charges and a direct competition with such companies. It has been said that there are four main reasons why Congress did not pass a parcel post bill; one was the American Express Co., another the United States Express Co., the third the Adams Express Co., and the fourth the Wells, Fargo Express Co. I am sure I voice the sentiments of the majority of this House, especially the new majority of the Sixty-second Congress, when I say that we would welcome an opportunity to vote upon any proposition to reduce the exorbitant charges of the express companies and to place better and cheaper transportation facilities in the hands of the business men of the country. I shall be glad to see real competition with the express companies, but what shall I say of the rural parcel post? It is apparent at a glance that it does not compete with the express companies, for it is expressly confined to traffic over a rural route. In effect it enlarges the territory of the express companies, reserving to them all of the business which they now have at their current rates and providing for a substantial increase of that business without cost to themselves by extending their service to territory which they are at present unable to reach. A brief study will convince any business man that the express companies have no reason to oppose, and are not opposing, the rural parcel post; in fact, that they will be the chief beneficiaries.

In discussing this matter nearly a year ago in the columns of a western trade journal, I took the position that the rural parcel post could be utilized by the express companies, and, through them, by the mail-order houses, to a much greater extent than by any other class of business men. I pointed out that it would be possible for a mail-order house to send a large package by express to some country town which was the beginning of several radiating rural routes and that on arrival the package could be broken up, probably by simply taking off the outer wrapper, into several small packages of less than 11 pounds, which would be properly addressed and ready for remailing out on the rural

route, and that this remailing could be done by some young agent, engaged in other business, whose charge for the service would be nominal.

But it seems that the rural parcel post is to be connected up with the express companies by an act of Congress without any expense or delay whatever. The condition is to be much more favorable to the express companies than I had originally supposed. I find upon the calendar of this Congress H. R. 12810, reported from the Committee on Interstate and Foreign Commerce, entitled "A bill regulating charges for transportation of parcels by express companies engaged in interstate commerce." The first section of this bill establishes maximum rates for express charges; which rates, however, will be found upon investigation to be uniformly higher than the existing rates.

Mr. BARTLETT. Does the gentleman mean to say that the bill reported fixes charges higher than the present charges of the express companies?

Mr. BORLAND. Yes; I undertake to say so.

Mr. BARTLETT. I do not undertake to dispute it, because I do not know. I am asking the question for information, and I am surprised at the statement.

Mr. BORLAND. That is my judgment about it.

Mr. HAMLIN. I will say that I am not enamored of that bill, but my colleague is unquestionably sadly mistaken if he thinks that the maximum charges fixed in the Adamson bill—does the gentleman refer to the Adamson bill?

Mr. BORLAND. Yes.

Mr. HAMLIN. The gentleman is sadly mistaken if he thinks that the maximum charges in that bill are higher than the existing express rates. He never was more mistaken in his life.

Mr. BORLAND. The gentleman is a member of the committee, and probably very thoroughly informed on that subject. I am glad he takes that position, and I will assume that to be a fact.

Mr. HAMLIN. The bill makes a reduction of something like 40 per cent.

Mr. BORLAND. Let us assume that it makes a reduction of something like 40 per cent in express charges. What I want to call attention to particularly is section 2 of that bill, which reads as follows:

Sec. 2. That any person delivering to any agent or office of any express company in the United States any parcel at the time under the law mailable on rural routes plainly addressed to any person or in care of any person on any rural mail route, the initial post office of which is at or in the same town, village, or city with any express office of any express company, may pay in advance both the proper express charges and the United States postage required to carry such parcel on the rural mail route. On arrival at the terminal express office of the same or any connecting express company where originates the mail route to which the parcel is directed, the agent at such office shall mail such parcel, paying the proper postage thereon. Likewise any person on any rural route, the initial post office of which is in the same town, city, or village with any express office, may, in addition to paying the postage appropriate on any parcel at the time under the law mailable on rural routes addressed and mailed to any person at any express office in the United States, pay to the rural letter carrier the proper express charges thereon to the point of destination, whereupon it shall be the duty of such rural letter carrier upon his return to his initial post office to deliver such parcel to the express office and prepay the express thereon.

It shall be the duty of the postmasters and the express agents to execute receipts to conform to this provision.

This bill, taken in connection with the provisions of the post-office bill, make together a complete plan whereby the rural carrier is to be made the receiving and delivering agent for the express companies without cost or expense to them. The country merchant, who has been told that the purpose of establishing rural parcel post was to enable him to send goods to his customers on the rural routes running out from his town, will study this beautiful scheme with some attention. I have no hesitation in saying that it is vicious in principle and can not fail to be vicious in practice.

If that is not an enlargement of the express business by making the rural free-delivery carrier the collecting and distributing agent of the express companies, I can not possibly frame the sentence in different language. It takes the express companies by the hand and says, "Gentlemen, here are the rural free-delivery carriers of America who are hereby constituted your receiving and delivery agents without expense to you. It is their duty to collect packages for you, collect the money in advance, bring them to the nearest express office, and send them to the party addressed."

But the farmer can not send his mail packages from the rural delivery route through the United States mail to any other delivery or post office in the United States without paying a higher rate of postage. If he undertakes to send it off from his rural delivery route he must use the express companies, according to this bill.

Mr. SIMS. Even with a loop or connecting route.



Mr. BORLAND. Even with a loop or connecting route.

Now, as my time is limited, I will not spend any more time on that. I want to say that this rural delivery can not be justified at all either to the farmer or the country merchant, and there never was a proposition of that character so plainly indefensible as that.

From the state of public opinion on this subject it is evident that there is a widespread demand for some real relief in the transportation of small parcels. This demand grows out of present conditions, and is a real demand that must be met. It must be met, however, upon some scientific and businesslike basis which recognizes the inherent factors of the problem. It is not easy to compare the parcel-post systems in other countries with a rude imitation proposed in this country. Neither is it always possible to compare the railroad conditions in other countries with those of the United States. The first thing to determine is the inherent difference between the small parcel business and the larger business involved in the carriage of the heavier commodities. That there is some inherent difference is manifest from the existence of the express companies as separate concerns. A small parcel presents certain elements which do not enter into the bulkier trade. The first of these is speed. Promptness of delivery is always a desirable and often a necessary element of the carriage of small packages. In this respect it brings itself into some relation with the postal system. The second element is convenience, by which is meant the forwarding of the package to its ultimate destination over the lines of successive carriers, if necessary, by the same general agent. This shows at once why the express business is not an adjunct of the railway business in this country, whatever may be the case in foreign countries. The very existence of the express companies is made necessary by the demand for the convenience of one agency operating over a large number of transportation lines. The third element which gives rise to express business, as distinguished from freight business, is that of value. The care and protection which can be given to an express package is frequently the greatest element in inviting this transportation.

Even after nearly three-fourths of a century of experience in American railroading it is still impossible even for an expert to determine what is a reasonable railroad rate upon any commodity. I do not mean by this that it is altogether guesswork, but it is only in recent years that the railroads themselves have begun serious attempts to secure scientific rates and classifications. The prime necessity in order to run a railroad is to get freight to carry, and the first thing, therefore, for the new railroad or for the railroad entering into new territory is to determine what commodities can be hauled in and out of that territory and to make a rate which will move the stuff. As soon as the freight begins to move the railway managers then begin to change their plan of operation and to adopt as rapidly as may be what some of them have called the cardinal principle of rate making, namely, to charge all the traffic will bear. The counteracting force of these two principles has produced all railroad rates. The rate must be sufficiently low to move the highest amount of traffic which the railroad is in a position to handle, and it must be sufficiently high to produce the largest income without reducing that bulk of traffic after it has once been encouraged to follow certain channels of trade. Reduced to its last analysis, the principle of rate making on railroads, whether stated positively or negatively, has been to charge all the traffic will bear. It no doubt has sometimes happened that certain traffic is carried by a railroad at a loss, the loss being justified either upon the ground that it is building up local industries upon the line of the railroad or that it is utilizing rolling stock and facilities which might not otherwise be employed, or that it is equalizing the bulk of traffic in each direction so as to give return loads to empties, or that it is necessary for a new railroad to encourage shipments out of its territory in order that it may have business to haul into that territory upon which it can charge profitable, or perhaps excessive, rates. It is apparent that these conditions do not enter into the express business, and it therefore follows that in no instance is the express business carried on at a loss, but in every case the rate is all the traffic will bear. Railroads make a general classification of freight, and in determining to what class a particular article belongs regard is had to its bulk and the convenience of handling; also, to some extent, to the quantity of traffic in that particular article, but more especially to its value. The principle supposed to govern is that a more valuable article requires greater care and involves greater liability on the railroad in case of loss. While this is to some extent true and is a proper factor in determining the rate, yet the old principle applies also, because a more valuable article will move at a higher rate than a cheaper article.

The railroads of the United States have not united upon a uniform classification. The Interstate Commerce Commission has endeavored to bring about such uniform classification without success. There is at present a classification applying to the territory east of the Mississippi and north of the Ohio. There is also a classification applying to the territory west of the Mississippi, known as the western classification, and there may also be other territorial classifications. The two classifications named control the vast volume of railroad business. The railroads also have rates not included in the general classifications, known as commodity rates, which apply to certain classes of commodities which move in large bulk from certain territory, usually in one particular direction and frequently confined to a particular season of the year. It has been found by experience that these commodities would not move at all unless these special rates were given them. Commodity rates usually exist upon grain, lumber, ore, building material, and a few other articles. It becomes apparent that the elements of commodity rates and classifications do not apply to the small package or express business. While some classification is necessary even in the express business, brought about by the difference in bulk and value of the various articles, yet the classification could be and is comparatively simple. Articles of extraordinary value could carry a special rate commensurate with the greater risk involved. It results from this brief analysis that there is no reason why the small package, or express business, can not be segregated from the general transportation business and successfully conducted by the Postal Department.

I want to say here that I have been very much inclined to favor the proposition of the gentleman from Maryland [Mr. LEWIS] and the gentleman from Ohio [Mr. GORKE] for the acquisition of express companies. It has been contended that the acquisition of the express companies would be a step in the direction of Government ownership of railroads. I have thought that problem out at the very start of this proposition and I do not believe that it will be. I do not believe that it is any more necessarily a step in that direction than any other form of a parcel post.

The real question to be determined from a business standpoint is whether the small package is different in kind or character from the general transportation business. If it is, if it is severable from the general transportation business, if it contains elements other than those contained in the general transportation business, then it may be carried without involving the general transportation business. It seems to me that the very existence of the express companies goes to show that the package business, from some reason or other, is severable from the general transportation business.

Let us see about that proposition. The foreign parcel posts, all except that of England, are practically unlimited as to weight. I think that on the Continent the limit reaches as high as 130 pounds permissible weight in the parcel post. In other words, there is no express business in the continental countries except the international business lately established by the American Express Co. So there is no fair comparison between conditions in America and on the Continent. On the Continent the parcel post has taken the place of the express companies, and when you commence to compare the continental parcel post with what we propose in this country, you are, in fact, comparing the express business in the hands of the Government with what we propose to establish.

The question is why the limit is fixed at 130 pounds. In my judgment, it makes no difference whether you fix any limit at all. There is a natural limit of weight beyond which it is not profitable to move packages at package rates. The railroads have found that out, and they fix the minimum weight at 100 pounds, and that is practically the maximum weight of the parcel business. That is shown unquestionably by this report of the hearings before the Post Office Committee, that 96 per cent of all the parcels moved by the express companies are under 100 pounds, and less than 5 per cent—4 and a fraction—are over 100 pounds.

Mr. LEWIS. And, if the gentleman will pardon me, the average weight of all the express shipments is 33 pounds.

Mr. BORLAND. Yes; and the average weight of the express shipments is 33 pounds. So that the largest part of them must be under 33 pounds to counterbalance the few that are over that. Now, the package business involves considerations different from the heavy transportation business in these respects, that in the parcel business speed and convenience, the two elements of postal service, are the most necessary elements.

A man sends his parcel by express to get speed, convenience, and care commensurate with the value of the package. The third element, that of value, enters into the express business, and it ought to be a very material feature in fixing the rates.

Mr. SAMUEL W. SMITH. Will the gentleman yield for a question?

Mr. BORLAND. If I have the time; but I do not want to trespass upon the time of some other gentleman.

Mr. SAMUEL W. SMITH. Does the gentleman favor the purchase of the express companies?

Mr. BORLAND. I am inclined to think so.

Mr. SAMUEL W. SMITH. About 50 in all?

Mr. BORLAND. There are nominally that many, but in reality there are not that many.

Mr. LEWIS. About 13.

Mr. BORLAND. I think there are only four in actual number, or five including the Southern.

Mr. SLAYDEN. Why not buy the small as well as the big?

Mr. BORLAND. There is no reason. I want to say in connection with this matter that I do not force my views upon any other gentleman nor have I committed myself to any plan; but I just want to see what the proposition is. All the evidence taken by this committee, as I say, was in the line of comparison of European systems with the American system, and gentlemen can find from the reports that the European system is practically a postal express or an express business in the hands of the Government, nothing more and nothing less; and that is the only kind of a system that has succeeded in moving any goods. The European systems not only have a zone rate, the minimum of which is very cheap, but they have a zone rate for longer hauls and they have a line of classifications not very complicated in its character. They have a maximum limit of weight which is higher than is necessary to the package business; so that the European system is practically an express system.

We are asked in this country to introduce the parcel post. For what purpose? Not to make business any safer, but to make the business cheaper. How on earth are we going to carry parcels in the post-office business to-day when we are paying railroads 4.6 cents per pound, or the price of first-class mail, for carrying these parcels, and the express companies are paying three-quarters of a cent a pound for carrying the same identical parcels with the same identical facilities? It is manifest if we continue our relations with the railroad companies with that rate on first-class mail we can not put in competition a system of parcel post. If the time ever arrives when our parcel post shall really become competitive with the express companies—a sure-enough parcel post—one that the express companies would begin to feel in the reduction of rates, then the inevitable economic principle would operate that we would either buy the express companies or we would drive them out of business. I take it that no man will dispute the economic proposition that private enterprise can not compete in the same country with the sovereign engaged in the same business. We can not say to the express company by the Interstate Commerce Commission that the United States will regulate your charges and your terms of carriage, and at the same time say that the United States in the Post Office Department will compete with your charges and compete with your terms of service. If such a thing were conceivable as a business proposition, and if we actually do compete with the express companies, we would have the whip hand of the express companies. We have the right through the Interstate Commerce Commission to say what they shall charge and we have the right in the Post Office to say what we shall charge, and if any man would do business in that way with that sort of competition in his business he is a mighty poor business man.

Mr. MURDOCK. Will the gentleman yield for a question?

Mr. BORLAND. I will.

Mr. MURDOCK. I think the last statement of the gentleman is one of the most astounding I have ever heard upon the floor of this House—namely, that we would have the whip hand of the express companies in competition with those companies. Now, I ask the gentleman does not he know that in 1840 and the years immediately preceding that we had competition with the express companies in the carriage of first-class mail, and the express companies absolutely drove the Government out of the carriage of first-class mail?

And let me say that in 1841 there were more letters collected and delivered out of hotels in New York City than out of the post office in New York City, and the gentleman has absolutely no evidence, historical or otherwise, to show that this Government, in competition with the express companies in the carriage of first-class matter, would have the whip hand.

Mr. BORLAND. Well, I am not familiar with the history that the gentleman cites nor the conditions surrounding the express companies driving the Government out of business, but it does seem to me—

Mr. LEWIS. Will the gentleman allow me to make a suggestion?

Mr. BORLAND. It does seem to me if the United States Government possessed and honestly exercised the power to regulate the express companies and exercised the power to compete with them in carrying the same class of business, it would not be a difficult matter for either one of them to drive the other out of the business.

Mr. MURDOCK. Because we do not exercise our monopoly in the carriage of other than first-class mail matter we are put in this position—of prosecuting the individual continually for the violation of the law which we permit the corporation or an association like the express companies to violate with impunity. For instance, in the last week at Denver, Colo., I am told the United States district attorney began a prosecution against a postal clerk for carrying outside of the mail a 2 or 3 pound package. That clerk, if he be guilty, will go to prison. Right in front of the clerk in the same train in another car the express company was carrying innumerable packages of the same nature. Does the gentleman think that is fair?

Mr. BORLAND. Of course not.

Mr. MURDOCK. Can the gentleman point to an arrangement in the law that would cure a case of discrimination of that kind except by the use of governmental monopoly?

Mr. BORLAND. The gentleman from Kansas is on the Committee on the Post Office and Post Roads and should take the matter up.

Mr. MURDOCK. Does the gentleman think he can cure it in any other way?

Mr. BORLAND. I was not attempting to cure the evil the gentleman speaks of. I did not know of it. The gentleman being on the Post Office Committee ought to take that matter up. I do think it is an outrage for the express companies—

The CHAIRMAN (Mr. CONNELL). The time of the gentleman from Missouri has expired.

Mr. LEWIS. Mr. Chairman, I ask unanimous consent—

The CHAIRMAN. The time is under the control of the gentleman from Tennessee [Mr. MOON].

Mr. BORLAND. Will the gentleman from Tennessee [Mr. MOON] give me 10 minutes more?

Mr. MOON of Tennessee. I yield to the gentleman 10 minutes more.

Mr. BORLAND. Now, Mr. Chairman, I want to say in answer to the gentleman from Kansas [Mr. MURDOCK] very briefly, and I would like the attention of the gentleman while I do it, that in 1840 and 1841, as I understand it, we did not have any Interstate Commerce Commission and had not engaged in the affirmative duty of regulating the rates of interstate carriage. Now, that may be one reason. I only suggest that, but I do say that I think it is an unbusinesslike outrage for the express companies now to be engaged in the profitable business of carrying the second-class mail and periodicals on the short haul and the United States Government to be engaged in the unprofitable business of carrying the same periodicals on the long haul.

Mr. MURDOCK. Does the gentleman see any remedy for that save by taking over the business of the carriers?

Mr. BORLAND. Certainly. That is what I was going to—

Mr. MURDOCK. I say to the gentleman there is probably no remedy except that.

Mr. BORLAND. The merchandise business is distinct from the business of carrying intelligence. The first-class mail ought to be taken into every corner of this country without regard to its cost. I do not care how humble the man is or how humble his message is, it ought to be taken to every American citizen without regard to cost and at the national expense. [Applause.] But no such reasons occur in the matter of carrying merchandise. That is a business proposition, and no flat rate in respect to merchandise ought ever to be made that will enable the express companies to get the cream of the short haul. That is exactly the reason, according to the testimony of the Postmaster General, of the loss on the large bulk of the second-class mail. I was perfectly astonished to read in the hearings of the Postal Committee that the Postmaster General claims it costs more than 12 cents a pound to carry fourth-class mail.

The report of the hearings says:

Mr. Beach, the Post Office Department states to Congress it costs a fraction over 12 cents a pound to carry fourth-class matter. What have you to say to that?

What does anybody say to that when we propose to make a rate of 12 cents a pound on fourth-class matter? We can not compete with express companies on a parcel post. The only way to engage in the parcel business is by a classification of commodities, with a zone rate for carriage, and take over almost exclusively the carriage of small parcels. I have an



idea, gentlemen, that the provisions in this bill should go no further than the creation of a postal commission with power to study this subject from a scientific standpoint and report a full and complete bill at the opening of Congress in December. I believe it would be a grave mistake to include in the present postal bill any hasty experiments which can not fail to involve the Government in a large amount of expense in providing equipment and preparing for their operation, which may be wholly unjustified.

I thank you. [Applause.]

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. RODDENBERRY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 22642. An act providing for the protection of the interests of the United States in lands and waters comprising any part of the Potomac River, the Anacostia River or Eastern Branch, and Rock Creek and lands adjacent thereto.

#### POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield to the gentleman from California [Mr. KENT] 20 minutes.

The CHAIRMAN. The gentleman from California is recognized for 20 minutes.

Mr. KENT. Mr. Chairman, this postal appropriation bill covers so many topics that it would be impossible for anybody to believe one way about all of them. I am going to take up a few subjects in which I agree with the committee report, and a few others in which I disagree with it. Concerning most of the technical provisions I am in ignorance and therefore express no opinion. The first topic in which I am particularly interested is the one in section 6, for the removal of the "gag order." That reform has been largely accomplished by the rescinding order of the President, but I have seen nothing in the rescinding order which applies to an important phase of the original order or to the way in which it has been translated by the Post Office Department, namely, the right to regulate the entrance of employees into societies or associations.

In the Committee on Civil Service Reform, of which I am a member, we had much testimony as to this part of the gag law. Gen. Stewart stated that the department did regulate the men's right to join associations. There was complaint made of those men who joined associations to which their superior officers were not eligible. This, it seems, would point out the necessity for postal employees maintaining organizations like Sunday schools, with their superior officers as class teachers and Postmaster General Hitchcock as superintendent.

I do not believe that it is proper for the Government to pretend to state what associations men shall or shall not join. It seems to me that is a question for the men to determine. The question is, What shall they do after they join associations?

I believe the men have the right to join associations that affiliate with the American Federation of Labor, always provided, as was shown by the testimony taken before the committee, that the American Federation of Labor can not order these men to strike, coupled with the statement of the men that they had no idea of striking, but propose to seek their remedies through legislation, and their further admission that sympathetic strikes would be intolerable when undertaken by Government employees. Therefore I am much in favor of the provision at the end of section 6, upon which it is our duty to act, in spite of the rescinding order of the President.

Now, as to the parcel post, section 8 of the bill, I read with considerable interest the report of the committee. That report, on page 9, recites the arguments pro and con of those who favor and those who disapprove a parcel post. The statement reminds me of an incident that happened in my experience in Nebraska, where, in conjunction with others, we had fenced some pastures for our cattle. We found an old Missourian, the owner of several horses that he had put in our pasture. When we asked him why he had put the horses in the pasture, he said: "Some people say it is good for cattle to have horses in the field with 'em and some say it aint; for my part, I dunno."

The statement on page 9 seems just as far from a determination of the question as the statement of the Missourian as to why he put the horses in the pasture with the cattle. I believe we have had enough investigation to go into this matter of parcel post and determine something definite.

I am in favor of the Anderson bill, because it provides for a zone system. I believe the flat-rate system is untenable and unjust and intolerable when applied to merchandise. It represents a subsidy given to those who ship long distances, which

must be paid by overcharge of those who ship short distances. There is no doubt but that in all questions of economics we shall find that sociology is closely interwoven. We can not get along without the rural settlement, without the country villages. We do not want to subsidize the incompetent merchant in the country village by excessive express or postal rates, nor do we wish to subsidize the merchant shipping long distances, who would deprive the country merchant of the legitimate factor of shipping cost and distance. I believe that the Goeke bill, to take over the express companies, is the proper, definite, final solution of the parcel-post system.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman permit a question right there?

Mr. KENT. Certainly.

Mr. SAMUEL W. SMITH. The gentleman spoke of the Anderson bill. Does the Anderson bill fix the weight limit and the cost of a parcel post?

Mr. KENT. Yes, sir.

Mr. SAMUEL W. SMITH. What is the rate limit and what would be the cost?

Mr. KENT. The weight limit is 11 pounds and the schedule of rates will all be found in the issue of the CONGRESSIONAL RECORD of April 22.

Mr. SAMUEL W. SMITH. There are so many of these bills that it is impossible to follow them all.

Mr. KENT. I think the Goeke bill is the ultimate thing. But I do not believe we could get results from the Goeke bill in any short time, and I do believe we could get the benefits of the Anderson bill immediately. I further believe that they would not conflict with each other, but that the parcel post as regards larger packages would naturally blend into a national parcel express.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Pennsylvania?

Mr. KENT. Yes.

Mr. MOORE of Pennsylvania. Can the gentleman tell how many employees would be taken over if we should adopt some such measure as the Goeke bill?

Mr. KENT. No; I have not gone into details.

Mr. MOORE of Pennsylvania. Can anyone advise us as to how many Government employees would be involved in taking over the express companies?

Mr. LEWIS. If the gentleman from California will permit me to answer in his time, the latest information on the subject is contained in the census bulletin of 1907. I am not speaking precisely now, but my recollection is that there were about 50,000 express company employees then.

Mr. MOORE of Pennsylvania. Fifty thousand employees of the various express companies who would by this transformation process become employees of the United States?

Mr. LEWIS. That depends on whether all of them would be necessary.

Mr. MOORE of Pennsylvania. That would involve the bonding of the employees, the tracing of losses, and all the other questions that now confront the express companies.

Mr. LEWIS. We have postal employees now in every town, village, and hamlet of the country, and where duplications would take place, of course eliminations would follow.

Mr. MOORE of Pennsylvania. The gentleman has given great study to this subject. Is it his opinion that in the taking over of the express companies, as proposed, the Government would necessarily have to take on about 50,000 more employees than it now has?

Mr. LEWIS. I did not say that. I think what I said was very distinctly said, that in 1907 there were about 50,000 employees; but to the extent that the representatives of the express companies in towns, villages, and cities duplicated the postal employees, eliminations would follow.

Mr. MOORE of Pennsylvania. If 50,000 is too high a figure, can the gentleman make an estimate? I am sure this is a very important consideration, important in the matter of argument particularly. Can the gentleman estimate how many would be taken over, assuming that the number of 50,000 is too high? How many employees would be involved in this new system?

Mr. LEWIS. If I were to make an estimate, I should say that the acquisition and operation of the express companies by the Government would ultimately, when the traffic doubled by normal rates, mean an addition of 50,000 to the postal service. There are now over 260,000 postal employees.

Mr. MOORE of Pennsylvania. The gentleman makes it 50,000.

Mr. LEWIS. That is what I should estimate, under the circumstances stated.

Mr. KENT. Mr. Chairman, the next matter of peculiar interest to me, not in the bill but in the discussion, is the bill suggested with the intent of granting Federal pay for improving country roads. That proposition, in the form it takes, is one with which I must disagree. The bill contemplates turning over sums of money to counties scattered throughout the country which can produce evidence that roads over which rural postal deliveries pass have been of a specified quality. There are a million miles of such roads now, and the immediate subsidy would amount to about \$20,000,000. There would be necessitated an enormous expense for inspection on the part of the Government, and to my mind the expense would not lead to anything coherent or systematic in the way of road building. It would be a case of easy money and therefore of wasted money. While I believe thoroughly and fully in Federal help for great national highways, I can not conceive of proper expenditure in such scattering through innumerable counties. The counties in my California district have supervisors, who have very little to do except look after roads. I do not think the Government would be satisfied with the uniformity of roads they build. If the Government went into the inspection business and saw to it that these roads were properly built, Congress could next take over the rest of the local governments, and we could have county day in this House, as many county days as there are counties, just as we now waste our time on District of Columbia day, when 5 commissioners with authority could govern Washington better than 400 Congressmen and 90 Senators. This bill is a piecemeal, patchwork sort of scheme, and much as I believe in the necessity of improving the highways of the country, I do not believe that the Federal Government should chop up its efforts into small, incoherent fragments, that must necessarily result in waste. Moreover, if a given road in a given county receives Government help on account of its being used for rural postal transportation, we can rest assured that there will be pulling and hauling from every direction to shift the rural routes to other roads or to get as many rural routes in each county as possible, just for the sake of the subsidy, whether or not such additional routes are justified. In the way this bill is drawn it is a tremendous temptation, and I am afraid that at least some few supervisors scattered here and there throughout the Nation might get into trouble. I once heard of a man who was an exile in Canada because, as he said, he had forgotten to build a church.

The question has arisen as to how taxes ought to be raised to construct roads. To my mind the Government might well help in the construction of great national highways where the work should be uniform in character and where there would be a chance for pride in the thoroughness with which the great arteries were built. The States may properly play their part, and in many cases are so doing by aiding with State highways. The little rural route is a local affair, a matter for the counties and the minor districts. The expense can and will be properly borne by these communities by whatever system of taxation they may choose. It is impossible to have a just system of pay for roads based on a frontage tax. There is no question about the iniquity of that as a final scheme. A frontage tax to support a great highway which passes a farm upon which the owner has trouble in subsisting is an obvious injustice. On the other hand, when we find cases where land for profit is subdivided for speculation owners certainly ought to pay all the primary cost of roads on a frontage basis. The question of taxation for road purposes, as well as for other purposes, will probably be best worked out under the Oregon system of giving counties the right to determine the nature of their own taxation. The Federal treasure never ought to be scattered in the heedless way this bill would scatter it. If the bill is a bona fide attempt to create national highways, it ought to provide for national highways; but if it is an attempt to scatter Federal money throughout the country for the popularization of reelectable Congressmen, that result could be much better attained by paying a subsidy on eggs, 30 cents a dozen for strictly fresh, 15 cents a dozen for fresh, and 10 cents for plain eggs.

Mr. GARDNER of New Jersey. Mr. Chairman, how much time has the gentleman consumed?

The CHAIRMAN (Mr. CONNELL). The gentleman from California has consumed 16 minutes.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. McGuire].

Mr. MCGUIRE of Oklahoma. Mr. Chairman, with millions of dollars now invested in post-office buildings and other equipment, an army of employees already in the postal service, and rural carriers delivering but a few pounds of mail daily, the United States Government ought to be able to handle the small-package business of the country better and cheaper than the express companies do. If we can not do this, we have no justification

for going into the business and should leave it in private hands.

The strong demand from all over the country for the parcel post is based on the belief that we can do this, and on dissatisfaction with the present rates and service of the express companies.

But the proposition coming from the Democratic side of the House does not do what the country expects. It amounts to an unjust subsidy to certain large mail-order houses, to rank discrimination against merchants, farmers, and all others, whose shipments would be for not exceeding a few hundred miles, and to robbery—monopolistic robbery by the Government of its people.

One of the Democratic propositions advanced abolishes the express companies. The Government, having the power, takes a monopoly. If the Government does this, it owes it to the people to give them at least as good as they have now. The proposition advanced does not give as good as we take away when we abolish the express companies.

As distance is not considered, the parcel-post rate proposed by the Democratic side of the House being the same for 10 miles and 3,000 miles, 12 cents a pound, that rate was undoubtedly fixed by striking an average. All shipments for a greater distance than the average will be hauled at less than cost, the big eastern mail-order houses being the greatest prospective beneficiary of the subsidy. All shipments for less than the average distance will pay more than cost, the profits on the short-haul business going to pay the subsidy on the long-haul business. As Oklahoma is near the center of the country, we will pay more than cost on the great majority of the packages we send.

If the parcel post proposed by the Democratic side of the House were enacted without the companion provision abolishing the express companies it would mean an enormous deficit. Without lowering a single rate the express companies would get the great bulk of the business of the country, pay their usual dividends, and leave the Government only the long-haul business at a loss.

But what do you do when you abolish the express companies to avoid this deficit? The Government takes a monopoly, the most complete in the country, and then proceeds to rob, by extortionate rates, its people on the short and average haul shipments.

The other day I made a few inquiries at the Interstate Commerce Commission about express rates. I found that a 7-pound package is now hauled by express from Guthrie, Okla., to Newkirk, Okla., about 75 miles, for 40 cents. One of the provisions in this bill would put the "robber" express company that is making this 40-cent charge out of business, and then under your other proposition you would proceed to rob a man who sent a 7-pound package 75 miles by forcing him to pay the Government 84 cents, or 4 cents more than twice as much as he now pays the "robber" express company from which we are trying to relieve him.

I found that if a man at Guthrie, Okla., sends a man at Newkirk, Okla., an 11-pound package he pays the express company 45 cents, while under the parcel post proposed he would be required to pay the Government \$1.32, about three times as much. After fixing this exorbitant rate you seek to abolish the express companies to make it certain toll will no longer be paid the express companies. If you do not put the express companies out of business, it must be admitted that some man who wanted to send an 11-pound package 75 miles might fail to see the benefits of this Democratic proposition and prefer to do business with a "robber" express company to doing it with a "robber" Government that charges three times as much as he pays the express company now. If you put your parcel-post provision through, the only way you can make the people use it on the bulk of their business will be by forcing them to by leaving them no other alternative.

The express rates on shorter distances than those I have mentioned would be less, though the Democratic parcel-post rate remains always the same regardless of distance.

I was informed that the express rate on a 7-pound package from Kansas City, Mo., to Guthrie, Okla., nearly 400 miles, would be 60 cents as against 84 cents that would be charged under the proposed parcel post, and on an 11-pound package express 75 cents, parcel post \$1.32.

These comparisons are enough to show what the two propositions now up will do. We abolish the express companies and then force the people who are complaining of express rates to pay the Government on shipments up to several hundred miles much more than they now pay the express companies. We are able to do this because the Government is able to force a monopoly. Yet if the Government takes this monopoly and then



makes the outrageous charge proposed the Government should never proceed against any other trust or monopoly, for none could beat such extortion or favoritism as the Democratic side of the House proposes.

If the parcel-post provision proposed is not amended, I shall vote against abolishing the express companies, for I prefer to see the Government suffer a deficit rather than to see it force a monopoly and then rob its people by charging them far more than they pay the corporations we seek to abolish. The Government should give the people something better and at least as cheap as the express companies give. When this is done, but not until then, I will be glad to vote to abolish the express companies and to take for the Government a monopoly in the small-package business the same as it enjoys in the letter-carrying business.

By looking at the map the gentlemen who framed this provision will find that the United States is somewhat larger than England or Belgium. They will find that it is farther from Los Angeles, Cal., to Portland, Me., or even to New York, than it is from London to Liverpool by a few thousand miles. It might be possible that a parcel post with only one fixed rate would be fair in a country the size of England, but it would not be in the United States, where each of several of the States are greater in area than all of Great Britain. With over 3,000 miles separating New York from San Francisco, it is clear that distance must be considered in fixing a parcel-post rate in this country. Otherwise a rate that will remunerate the Government will necessarily be so high that it amounts to extortion on the shorter distances. If it is low enough not to be extortionate on the short shipments, it will not pay its way and will mean an enormous deficit. No satisfactory and fair proposition can be devised that does not take distance into consideration.

If distance is considered, the local merchant and small city and town will not suffer. If they are given a fair deal they will not be hurt. If the Government will provide a parcel post they can use for their business, instead of being damaged, as they fear, they will probably benefit with the rest of the country. If, on the other hand, the present provision is enacted giving the cheaper rate on long shipments but providing a prohibitive rate for short distances, higher by several times in some instances than the present express rates, they undoubtedly will be damaged.

The people who want a parcel post will be gold-bricked if the present proposition becomes a law. In but few instances will they receive lower rates than they now have, while in most instances they will be robbed. Besides being drawn on the wrong principle, the measure is carelessly framed. A man on a rural route out of Washington mailing an 11-pound package to a man in the House Office Building would have to pay the regular rate, 12 cents a pound, instead of the cheaper rates authorized for rural routes. A man mailing a package weighing 17 ounces would have to pay for 2 pounds, 24 cents, instead of 17 cents, as he would pay under the present rate of a cent an ounce, the unit in the new rate being the pound.

I hope the parcel-post proposition reported by the committee will be amended by the House so as to provide a sliding scale of rates based on distance, rates as cheap, at least, as those the express companies now give. We should provide a parcel post that may be used for a 50-mile shipment as well as a 2,000-mile one.

I hope the rural-route provision may be amended so the cheap rate, ranging from 5 cents for a pound to 25 cents for 11 pounds, may at least apply anywhere in the territory of a post office, from one route to another from the same office, and from any point on a route to any address in the city from which the route originates.

I hope it may be amended so as to retain rates as cheap in every case as are now granted under the ounce unit.

From all over the country are coming protests from business men and others who will be injured if a parcel post is passed that does not consider distance in fixing rates. Why not consider distance and treat these interests fairly?

From all over the country are coming demands for a parcel post. I feel such a measure is inevitable. What is proposed is a fraud. Why not give a sliding scale of rates based on distance, so that those who demand a parcel post may have what they want—a parcel post that they may use without being robbed, whether sending a package 10 miles or 3,000 miles?

Mr. Chairman, there is another feature of this bill to which I desire to address myself briefly, and that is the question of the proposed increase of salaries for mail carriers on rural routes. I came to Congress about the time of the establishment of rural routes, and I have observed with much interest its development and its benefits to the American people. From the reading of the speeches made at the time of its inauguration, as well as for some time thereafter, it will be seen that it was regarded as purely experimental, but this service of the Government has

passed the experimental stage and is one of the most important branches to-day.

It has been the policy of the representatives of the Government, both in the executive and legislative branches, for a great number of years to make rural life as convenient and satisfactory as city life, and nothing has contributed more to the convenience of the farmer and the man who lives beyond the limits of the city than the establishment of rural routes and the delivery of his mail at his door, and the right kind of a parcel post will be another great advance in this movement.

As long as the rural delivery service was in its experimental stage the question of expenditures by the Government for this service was strictly guarded, and the salary of rural delivery carriers was fixed at the minimum. Now that it is an established and permanent branch of the service, salaries should be fixed where we expect them to remain, so that Congress may not be required to give them further attention.

I have always said that the class of men engaged in the carrying of the mail in the rural districts were entitled to \$100 per month for their services. There may be exceptions, but they are very few; and inasmuch as it is necessary to establish a uniform salary and their work being altogether of the same class and their burdens being so equally distributed, the salary should be a fair remuneration for the services rendered the Government. This bill does not go as far as I should like to see it go, but the provision for the increase of rural mail carriers in this bill ought to have the sanction of every Member of Congress.

You will readily see the necessity for the increase in case some general provision for parcel-post passes, and I certainly hope there will be such a provision—one that is fair alike to the country merchant and the farmer. Such a change in the law will add to the work of all rural carriers. It will add hours of time each day to their work. Many of them in my district are now using, in the interest of economy, motor cycles, as they have found these machines to be cheaper than a horse and vehicle and cheaper than an automobile, but this means of travel will have to be abandoned as soon as the parcel post is adopted and they will be compelled to return to the horse and vehicle, or to automobiles, and in any event their expenses will be much more than they are now while they are using the motor cycles. With the increase of their work and the additional time, it will be necessary for them to put in an additional expenditure for equipment, all of which are abundant reasons for the increase of their salaries.

I have voted for every increase that there has been since the rural route was established and shall continue to vote for every increase until the rural mail carriers are receiving \$100 per month for their services, and I sincerely hope this measure will be retained in the bill.

Mr. Chairman, I desire also to speak briefly on the provision of this bill intended to encourage good road improvement. Any thing that tends to the improvements of the country roads goes to the betterment of rural life, to the increase of farm values, and to a larger return to the farmer by decreasing his transportation costs. The provision of this bill under which the Government pays from \$15 to \$25 per mile annually as rental to the communities that have already been able to establish good roads means but little at this time to Oklahoma. Under it we give the most to the communities that have the best roads, and to the communities that have not been able to establish permanent good roads we give nothing.

I would prefer to see a law enacted creating a fund of several million dollars to be used in cooperation with the States, counties, and townships in constructing and maintaining good permanent roads, the Federal Government to pay at least a third of the initial cost.

However, the fact that the Government will assist, by paying annual rentals, the communities that do establish permanent roads will encourage road improvement. Many communities, especially the newer ones, are not in a position to undertake the work of permanent road improvement, and I feel that it would be wiser and more beneficial for the Government to assist those communities, but I shall vote for this provision for the encouragement that it does give road building. It is a step in the right direction, though I regard it as much too short a step for this great Government to take in this important work.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. Moore.]

Mr. MOORE of Pennsylvania. Mr. Chairman, before proceeding to fill up the gap, I would like to have unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, no bill presented to this House within my recollection develops so many radical departures from the ordinary legislative procedure as does this one produced by the Committee on the Post Office and Post Roads. It is daringly radical upon many of the great problems that are matters of dispute before the people to-day. Our friends on the other side of the House, preaching the doctrine of economy, proposing to institute reforms, starting the extraordinary session of this general session of Congress with a pretense of reducing the expenditures of the Government by lopping off heads and cutting salaries, has changed front in almost every particular since the opening day of the session, but nowhere to a more marked degree than in this bill.

We had an attempted reduction of the tariff revenues first in the presentation of the reciprocity bill, which proposed to cut down the revenue of the Government no less than \$5,000,000. Then we had the farmers' free-list bill, which proposed to reduce the revenue to the extent of \$10,000,000 more. Then we had other bills—the wool schedule, which was to lop off \$1,300,000, and a cotton bill, which proposed to lop off \$3,000,000 more. Since that we have had very many sallies into the realms of economy, as, for instance, in the passage of the sugar schedule, which proposes to cut out substantially \$60,000,000 of our revenue. All this is done in the name of economy, with no substitute save an attempted tax upon the incomes of the people. All this is done in the name of the common people, who are supposed to be sorely oppressed, and yet there has been no substantial change of law in spite of all professions.

Now, we have disputed for a long time in the United States with regard to the parcel post and the expensiveness of introducing such a system and of its probable effectiveness in a country like ours, with its long hauls and great areas. We have disputed as to the rates of railroad companies, telegraph companies, telephone companies, and express companies, and we have wondered whether we have properly regulated the conditions that have held in regard to these companies. We have discussed good roads and good waterways, and questions fairly debatable have arisen and been debated as to whether we were proceeding in the right line and with due regard to economy and the rights of the plain people. Those are problems that require discussion in Congress and should not be hastily considered. But rather than bring them in separately, so that we could fairly discuss them, they have been thrust upon us in an appropriation bill under a rule which makes it necessary to deal with them as mere incidents of the rights and privileges of postal clerks and rural-delivery carriers. We have not had presented to this House in such shape as would enable us to properly treat it the question of the parcel express, involving the taking over of a vast force of employees and a wide extension of the postal system, with all of its responsibilities and profits or losses, nor have we had an opportunity to ascertain the sentiment of all the people of the country upon it. Neither have we taken up any measure pertaining to the improvement of good roads, although great protestations affecting the farmer and the users of good roads have been made since this Congress began looking to the relief of those who felt that good roads were needed throughout the United States. We have not had presented to this House in such form that we may calmly and deliberately consider it the question of Government ownership.

But we have had brought in here all of a sudden all of these things in an appropriation bill, and they have been placed there as riders to that bill, which every Member of this Congress feels must pass in some form, since he is interested in the progress of the postal system and must safeguard the interests of his individual constituents therein. Those of us who come from the districts that are closely populated are interested in the clerical force in the post offices and in the letter carriers, who perform most excellent public service, and in the many other features of the service as it pertains to us; and those of you from the rural districts, who are in the majority in this House, are necessarily interested in protecting and advancing the interests and welfare of those rural carriers and those rural post offices that are a part of the districts which you represent. It is because you must stand by your rural free-delivery carriers, and because it is presumed we must stand by our city carriers and clerks, knowing that a measure must pass this House in order that the postal service may proceed, that you have brought in as riders to this measure, in the name and because of the postal clerks and the free rural-delivery carriers, the most radical and startling propositions in the matter of Government ownership that have been brought here since the foundation of the Government.

You propose to take over the express companies. Have you estimated the cost? Have you considered the consequences? On this floor a moment ago it was admitted that the number of

employees to be taken over the moment you introduce your new system of Government ownership is 50,000 men. You propose to add these to the Government pay rolls and relieve the express companies of the responsibility of caring for them, and you also intend to deprive individual incentive, even corporate incentive, from going ahead and doing business upon its own account. You have something to consider in the matter of expense, those of you who are preaching economy upon the other side.

Take the matter of rural free delivery alone. The figures are of staggering importance. A little over 15 years ago there was no free Rural Delivery Service in this country. We began in 1897 with 82 routes, costing \$14,840. In 1911, a period of 15 years only, the number of routes had jumped to 41,656, for which \$38,860,000 was appropriated. For the current fiscal year the appropriation is nearly \$43,000,000, which means about 43,000 rural-delivery carriers. All the revenue we collect from the Rural Delivery Service is between seven and eight millions per annum, and the total loss for the current year is estimated by the department at \$35,000,000. The people—that is to say, the common people, for whom you plead so loudly—have to bear this loss. And now, since you have got the free rural delivery started, no matter what the cost, you propose to start something else, and by this bill you intend to make the people pay for all the roads over which the rural carriers travel. The Post Office Department estimates the rural-delivery mileage at more than 1,000,000, which, at an average cost to the people of \$20 per mile toll per year, would increase your delivery deficit \$20,000,000 more, or a total of \$55,000,000, for a possible return of \$8,000,000. Yet you are preaching economy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER of New Jersey. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. MOORE of Pennsylvania. You are preaching economy by introducing a proposition which proposes to saddle upon the taxpayers of this country the business of the express companies and their pay roll of 50,000 men, together with all their equipment, contracts, and damage claims, all of the risks, and labor conditions, and all those other conditions that are incident to Government control. Preaching economy! Yet you propose by this bill to make the Government of the United States, whose money we are sent here to justly and wisely appropriate, take this money out of the Treasury, the people's money, under the guise of an appropriation bill for the benefit of clerks and free rural delivery carriers, and to do what? Expend it on three classes of roads, to be supported by the Government of the United States, upon the pretense that somewhere, at some time, they are to be used by a wagon carrying the mail of the United States, or are to be footed by some one who has a mail sack upon his back. If you want to be fair in your proposition, why do you not make provision for another class of roads to be paid for by the Government of the United States, namely, the highways of the city, within the limits of the various congested centers, where the people have already paid for them, and where the heels of the carriers and the wheels of the wagons do as much damage as they do upon any country road in the United States?

Are you going to make provision for the sidewalks used by the letter carriers in carrying the mails of the United States, or are you going to continue by your policy of economy to provide only for one section of the United States and leave the others entirely out of consideration?

Oh, in this bill you propose another radical change in regard to the parcel post. You propose that those of us who live in the cities shall pay 12 cents a pound upon packages which we deliver through the mails, and that that rate shall be fixed and uniform with regard to us, but so far as the residents of the country upon rural routes are concerned, you provide a sliding scale of rates which means, in the last analysis, that if we move out of a city and live in the country we can have our packages carried in the mails on Government-built roads by rural carriers at 5 cents a pound. In other words, you are specializing as between the city and the country—we pay 12 cents and you pay 5—and you are violating the very essence of the Constitution of the United States.

We might as well be frank about these matters. Why do your States not go and build your own county roads? Why do you come to the Government of the United States and ask us to use the money of the people, the money of your people, the money of my people, to build the roads that you ought to build yourselves? You ask, Do we build our roads? I answer, Yes; we do, because we are industrious, because we are saving, and because we want to thrive and prosper. The great Commonwealth of New York has appropriated millions and millions of money to provide roads which are used by every farmer who wants to use them, by every man who wants to carry the mails,



by any man, whether he comes from California or whether he comes from New Mexico or whether he comes from Austria. Why do not you build roads in order that the rest of the country may have the same advantage that those of us who build roads for ourselves accord to others? The Commonwealth of Pennsylvania has just made provision for the construction of roads to the extent of \$50,000,000, and yet my good friend from Iowa comes into this House, along with others who are now preaching this good-roads doctrine, because it carries an appropriation and because it pleases the farmers and because it pleases the rural-delivery men, and says that he wants the Federal Treasury to build roads in Iowa. Some other gentleman wants the Treasury to build roads in his State. What are you doing for yourselves?

Mr. LANGLEY. Will the gentleman yield for a suggestion? Mr. MOORE of Pennsylvania. I will.

Mr. LANGLEY. I desire to say to the gentleman from Pennsylvania that if the Federal Government had expended half as much money in the mountains of Kentucky as has been expended in and about the city of Philadelphia we would not ask the Federal Government for a cent and would build as good roads as they have anywhere in Pennsylvania. [Applause.]

Mr. MOORE of Pennsylvania. The answer to that is so perfectly clear and palpable that I am glad to have the opportunity of placing it in the Record. There are so many more people in the State of Pennsylvania, thriving and industrious, than there are in the State of Kentucky that they not only build their own roads in Pennsylvania, but contribute more than Kentucky can possibly do to the general development of the country.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. MADDEN. The gentleman knows that we lost by the Rural Delivery Service last year \$28,000,000.

Mr. MOORE of Pennsylvania. I think it was in excess of that—about \$35,000,000.

Mr. MADDEN. There was an excess of revenues of the Philadelphia postal service over the expenses; does the gentleman know how much?

Mr. MOORE of Pennsylvania. I can not give that, but there was an excess.

Mr. MADDEN. I wish the gentleman would put it in the Record.

Mr. MOORE of Pennsylvania. I will look it up and put it in. I want to be as fair with my farmer friends as I can. I was born upon a farm and am a farmer's boy. I love the farm and want to go back to it. [Applause.] But I want others to go back to the farm, and every time I get the chance to do so I urge the people living in the streets and alleys of my city to go upon the farm.

Mr. FOWLER. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. I do.

Mr. FOWLER. The way for us to get them to go from the city to the farm is to make farm life more happy and more productive than it is.

Mr. MOORE of Pennsylvania. It is now much happier and more productive than many phases of city life. In one of the committee reports, which I now have not time to refer to, it is said that if the Government, from the Federal Treasury, were to construct these country roads it would be no longer necessary for the farmer to go out and use them to get to the great department stores to buy his goods, because he could go to the telephone and have them sent to him. I say to the gentleman from Illinois if that is the condition of the farmer to-day it does not hold throughout the district in which I live, nor do all my people have the advantage of that telephone service. They go out and hoof it to the stores to get what they want, and they pay fairly well for farm produce.

Mr. FOWLER. Will not good roads increase the desire to live in the country?

Mr. MOORE of Pennsylvania. Of course it will. I am as much an advocate of good roads as is the gentleman or as is any man upon that side of the House, but I want the people to get a little busy in their own neighborhoods and their own counties and build some roads for themselves, rather than come constantly to the Federal Treasury and relieve the States of their responsibility.

Mr. FOWLER. Is not the building of good roads too big a proposition for any community to undertake?

Mr. MOORE of Pennsylvania. I think not. I repeat I am as much in favor of good roads as is the gentleman. Every approving adjective at his command applied to good roads I will indorse, but still it does not remove my objection to the Federal Treasury being drained for the purpose of building

roads in every county and through every little township, because, perchance, some time it may happen a rural carrier brings a spool of silk to Mrs. Maloney. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. GARDNER of New Jersey. I yield 15 minutes to the gentleman from New York [Mr. MICHAEL E. DRISCOLL].

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, efforts have been made during nearly all the time I have been in this House by certain gentlemen and certain sections of this country to commit the Federal Government to the construction of ordinary roads throughout the country. And those agitations and efforts to commit the Federal Government to the policy of construction of ordinary country highways have come largely from the Southern and Western States of the Union. Because those States are large in territory and sparse in population and taxing power, they would like to have the Federal Government build their roads.

I will not assume to discuss the constitutional aspects of this question. I do not think it is constitutional, but I certainly believe that if it is within the limits of the constitutional power for the Federal Government to go into the State of New York and build common, ordinary highways, then it is within the same power to go into the city of Syracuse, where I live, and build asphalt pavements and concrete sidewalks.

I analyzed a batch of bills introduced in this House for the construction of roads several years ago. I found there were then 18 of them, nearly all by Democrats, and the great majority by southern Democrats, although there were some Republicans from Kentucky who had introduced bills. I do not know but that the late Mr. Brownlow, of Tennessee, was the father of these good-roads bills. These bills were of two or three classes. Some provided that the surplus in the Treasury every year be divided up among the States pro rata for the construction of roads, the money to be spent by the executive officers in the States. Those bills were introduced by State righters and antipaternalistic statesmen of the House. But none of them were fair, because they all provided that in the distribution of this fund among the States the cities would not be counted in the population in order to determine the proportion of money to be given to the several States.

Some of them provided that cities above 50,000 should be excluded from the count, and some provided that all cities of 30,000, and some that cities as low as 10,000 should be excluded. Everybody who introduced a bill figured up the cities in his own State and estimated the proportion that his State would receive by the exclusion from the count of cities above a fixed population in order to give his State the greatest possible advantage. I opposed those bills then and I have opposed them in every form in which they have come up since, because a law providing for the distribution of money according to the population and excluding cities would exclude 80 per cent of the population of New York State, and that State would get only one-fifth of what it would be entitled to according to its population, because New York is a State of cities, although it is a splendid agricultural State as well. Those bills were introduced by State rights Democrats, who did not want, in theory, at all events, the United States Government to send its agents into the States and build the roads. They wanted the money delivered to the officers of the State and the roads built by them. There was another class of gentlemen who introduced bills providing that the Federal Government send its agents into the several States and construct the roads and maintain them.

Mr. HILL. Is there anything in this bill that requires a single cent of this money to be expended on highways by the States? It is simply paid over to them to do what they please with it.

Mr. MICHAEL E. DRISCOLL. This is true of most of these bills. This bill is simply a starter. It is intended as an entering wedge to get the Federal Government committed to the building of ordinary highways in the States. These men—

Mr. SHACKLEFORD. Is it a start forward or backward?

Mr. MICHAEL E. DRISCOLL. You have done one thing after another. You have tried to get larger appropriations in the Agriculture appropriation bills.

Mr. LANGLEY. I hope it is only a starter. [Laughter.]

Mr. MICHAEL E. DRISCOLL. I know that is what you are after. [Laughter.] But I will discuss that later.

A year ago, when it was proposed that Congress recess over Lincoln's anniversary day, a rider was put on that resolution or bill, to the effect that the Government should build a grand boulevard from Washington to Gettysburg, with monuments on either end. Why? Not because the people behind it were patriotic, not because they were interested in that particular highway, but because they wanted to use that patriotic senti-

ment for a holiday to commit the Federal Government to the building of ordinary country roads. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. MICHAEL E. DRISCOLL. I do.

Mr. MOORE of Pennsylvania. Does not the gentleman think that if it had not been for the love of the free rural delivery carrier our friends on the other side would never have brought in any such measure as this now pending before us?

Mr. MICHAEL E. DRISCOLL. Why, they do not care anything more for the rural delivery carrier than we do. They are resorting to one subterfuge after another to extract money from the Federal Treasury for their roads. [Laughter.] But why are they not honest and candid? Why do they say it is worth \$25 for a horse and wagon and a lone letter carrier to go over a mile of road? Is not the statement of their claim proof of their insincerity?

Mr. SHACKLEFORD. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. MICHAEL E. DRISCOLL. Yes.

Mr. SHACKLEFORD. The question I desire to ask the gentleman is this: It being the duty of the Federal Government to carry the mails and provide the facilities for doing it, is it not cheaper for the Federal Government to rent that road at \$25 a year than build it?

Mr. MICHAEL E. DRISCOLL. The Government is under no obligation to build roads or rent them. It pays \$1,000 a year to the man who carries the mail, and under your scheme it would have to pay \$25 a mile toll for the use of the road. You would have the Government not only deliver the mail, but also keep the roads in repair for the whole neighborhood. [Laughter.]

Mr. SHACKLEFORD. Who furnishes the post-office building in your town? Does the Government say, "If you will furnish the building in which the post office is to be kept, we will furnish the post office?" No. The Government furnishes both the building and the facilities. Why not give us our facilities?

Mr. MICHAEL E. DRISCOLL. Who furnishes the letter carriers in the country? Does not the gentleman think the Government has done very well for the farmer for the last 15 years? It has extended the rural service until it now covers nearly all the country. The letter carriers at the outset were paid \$500 a year, but that salary has been increased from year to year until it is a thousand dollars a year now, and still it is proposed to increase it in this bill \$74 a year more. I find no fault with this, because I like to see every man who is willing to work receive a fair wage. Do not you think it is doing pretty well for the farmers without building their roads? I think so, and I was raised on a farm.

Mr. SHACKLEFORD. The gentleman should remember that rural-delivery service is not for the benefit of the farmer any more than for the benefit of the department stores and the merchants and everybody else who is using the rural routes just as much as the farmer, and more.

Mr. MICHAEL E. DRISCOLL. I will not yield further.

Mr. SHACKLEFORD. Will the gentleman answer me if that is true?

Mr. MICHAEL E. DRISCOLL. That is not a question, but a statement, which has no application.

Mr. MOORE of Pennsylvania. Will the gentleman from New York tell us whether he has ever heard of the gentleman from Missouri [Mr. SHACKLEFORD] refusing a post-office building in his district?

Mr. MICHAEL E. DRISCOLL. New York does not ask the Federal Government to do for it things which it should do for itself.

Mr. SHACKLEFORD. Who builds its post offices, and who establishes its pneumatic tubes, and who furnishes the city letter carriers?

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I want to use a few minutes of my time myself. [Laughter.]

Mr. SHACKLEFORD. Who asked the Government to improve his own post-office building?

Mr. MICHAEL E. DRISCOLL. The Government maintains its post offices in city and country, and we do not ask it to pay rent for the use of our streets or sidewalks, while you demand \$25 a mile for a horse and wagon going over your road.

Mr. SHACKLEFORD. Is it worth anything to the farmers of my district to establish a monumental building for Government purposes in a city?

Mr. MICHAEL E. DRISCOLL. Does not the gentleman know that this is merely a subterfuge? You are not asking for this on its merits. You are simply trying to get the Government committed to this bill, and next year you will demand larger rents or heavier tolls, and also that the Government build your roads outright.

Mr. SHACKLEFORD. Will the gentleman answer—

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I object to further interruption. [Laughter.]

I shall attempt to analyze in the few minutes that I have at my command the bills introduced in this Congress by Members of the House, and I think there are 39 such bills and resolutions providing for the construction of roads by the Government. Twenty-nine have been introduced by the Democrats and 10 by Republicans, but not one from an Eastern State, not one from a Middle State, very few from the Mississippi Valley; but all from the great broad States in the South and West of large areas, long roads, small populations, and small taxing power.

The farmers in those States have been unusually prosperous during the last 10 or 12 years, and their prosperity has been increasing from year to year. The mortgages and other encumbrances which were on their farms a few years ago have been lifted. Many of them have deposits in the savings banks and many others are able to afford automobiles. I saw a statement a short time ago that there were 76,000 automobiles owned by farmers west of the Mississippi River. Those machines are luxuries; and usually automobiles are considered liabilities rather than assets. Old Dobbin and a cheap wagon would do the necessary business quite as well, whereas those are used for comfort and pleasure, because the farmers are so prosperous that they can enjoy the luxuries of life. But they are not satisfied. They are jealous of the manufacturers and business people of the East, who they think have been getting more than their share of the country's wealth. This jealousy, envy, and antagonism have been manifestly developing during several years last past, and while they are yet in a nebulous condition they are constantly developing and organizing for a general assault on what they consider the concentrated wealth of the East, and just now it is in the form of a wave of national socialism sweeping up from the great West and Southwest. It is very largely the same spirit and motive which are back of this proposition to buy up all the express companies of the country. They want to commit the Federal Government not only to the building of country roads but to the policy of buying up all the old junk of the many express companies in the country—the old wagons, horses, trucks, and old stuff of every kind—which will be of no use to the Post Office Department when once acquired.

The Federal Government did not authorize or encourage the organization of those many express companies, and the Federal Government is under no obligation to them in any possible way. It can develop its parcel post or postal express if it seems wise to do so, and if that act on the part of the Government tends to reduce the profits of the express companies or drive some of them out of business they have no cause for complaint against the Government or against the people, whose agent the Government is, for they have taken advantage of their opportunities and have made all the profits their business would stand without regard to the complaints of the people who were obliged to patronize them.

What next? Why, if the Government goes into the business of postal express it will need the use of many cars in order to handle the express business. The railroad companies are now charging the Post Office Department very much higher rates for transporting its mail matter than they are charging the express companies for transporting their express matter; and if the department can not make what the people or Congress consider satisfactory rates with the railroad companies, in the future the people will demand that the Government buy its own cars and fit them up for express business, which will be more commodious, and it will be claimed that they will be cheaper. Then, if the Government buys one car, why not two? Why not 10? Why not the whole train? The express business will be very large if carried out according to the conceptions of the gentlemen who are agitating this measure. Then, if the Government owns the cars, why not the railroads and all the engines and machinery owned in the operation of the railroads? One follows the other in the most logical and natural way. This means the nationalization of all railways and also all the ships and steamboats in the country, and it means national socialism.

Mr. BERGER. That would be a good thing.

Mr. MICHAEL E. DRISCOLL. You people from the South and West, who have been agitating for the construction of country roads by the Federal Government, are bent on getting



money into the Treasury with one hand and drawing it out with the other to build your roads and do many other things in the way of domestic improvements which the States or municipal divisions thereof should do for themselves. The State of New York pays of the corporation tax 302 times as much as does the State of North Dakota.

Mr. SHACKLEFORD. She got it from Dakota, though.

Mr. MICHAEL E. DRISCOLL. And yet North Dakota would get more than New York out of this road-building proposition, because it needs them more and because it has two Senators with as much power in Congress as New York's two Senators.

Mr. MOORE of Pennsylvania. Would we not also continue to pay 25 cents a pound for sirloin steak and 40 cents a dozen for eggs, which come from the farm, just the same as we are doing now?

Mr. SHACKLEFORD. You Philadelphia people, who can afford to do it, would.

Mr. MICHAEL E. DRISCOLL. In reply to the gentleman from Pennsylvania [Mr. Moore], I will say that I think we would.

Mr. MOORE of Pennsylvania. Would not the cost of living be just as high to the city dweller, who must have three meals a day?

Mr. MICHAEL E. DRISCOLL. Certainly; and perhaps higher. The people in the country have got the idea into their heads that with a parcel post or postal express the express wagon will come up to the farmhouse door every morning and take the butter, eggs, apples, berries, grapes, chickens, hens, and turkeys, and that they can put a 2-cent postage stamp on the box and that the express agent will haul them away. [Laughter.]

Mr. HILL. Why should they put on a stamp? Why is it not the duty of the Government to carry them all free? [Laughter.]

Mr. MICHAEL E. DRISCOLL. That may be the next step in this comprehensive scheme of paternalism. They think that for that stamp they will send these things to the consumer in New York or Chicago or St. Louis or San Francisco. Then they expect to buy everything they want, from a piano to a paper of pins, from the catalogue department houses, and that all those things will come back and be delivered in nice packages and set out on their front porch, all for a 2-cent stamp. They are going to eliminate the small merchant, not only in the village but in the city. They are going to save all the expense, and the farmer is going to get all that the consumer pays, less the 2-cent stamp. That is the idea some people have now, and that is what has been drummed into some farmers' heads by the champions of this measure, who are putting before us this first step in national socialism.

Can those dreamers expect to persuade any considerable part of either the city or country residents that this service can be done without being paid for by somebody; and if done by the Government, do they not know that it will cost very much more than if done by private concerns? Do they not know that all work done by the Government costs at least 50 per cent more than if done by private concerns or individuals? This service must be paid for out of one pocket or the other; either by the people who patronize the Government express, or by the people at large in making up the deficit in the Post Office Department; and I am one of those who believe that a service of this kind, either in the form of parcel post or postal express, should be paid for by the people who patronize it; that in the transportation and distribution of merchandise the people for whose benefit it is done should pay the necessary expense of the service and not shift the burden on the body of the people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER of New Jersey. I yield to the gentleman as much time as he may need, up to 20 minutes.

Mr. MICHAEL E. DRISCOLL. To prove that this is the first step toward national socialism, I appeal to the Socialist Party in Congress, which lives and moves and has its being under the hat of the gentleman from Wisconsin [Mr. BERGER]. He says he is in favor of it. He says the nationalization of the railroads is a good thing.

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. The gentleman admits that it will follow the nationalization of the express companies.

Mr. BERGER. I do.

Mr. MICHAEL E. DRISCOLL. As a necessary, logical sequence?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. And the gentleman admits that the purchase of all the steamship companies will logically follow?

Mr. BERGER. If the Government owned the steamship lines, you would not have any disaster like that which befell the *Titanic*. [Applause.]

Mr. MICHAEL E. DRISCOLL. The gentleman admits that it would naturally follow the purchase of the railroads?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. That it would be a necessary consequence?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. So that the Nation would own all the express companies, railroad companies, steamboat companies, and all facilities used in the transportation of commodities?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. Then, in order to be consistent, it would own all the telegraph companies?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. All the telephone companies?

Mr. BERGER. Yes.

Mr. MICHAEL E. DRISCOLL. And everything used in communication, as well as transportation?

Mr. BERGER. Yes. That would mean progress. Travel would be safer than it is now.

Mr. MICHAEL E. DRISCOLL. And in order to be logical, then, the National Government ought to buy up all the coal mines?

Mr. BERGER. That is perfectly logical.

Mr. MICHAEL E. DRISCOLL. And after the ownership of all the transportation facilities was in the National Government we should take in the gold and other mines. Is not that so?

Mr. BERGER. Yes. Gold mines, iron mines, and all other mines.

Mr. MICHAEL E. DRISCOLL. And all manufacturing plants?

Mr. BERGER. Not exactly.

Mr. LANGLEY. Mr. Chairman, I make the point of order that the gentleman from New York is leading the witness. [Laughter.]

Mr. MICHAEL E. DRISCOLL. The gentleman from Kentucky does not seem to like the prospect of what this postal-express bill leads to. It would mean the appropriation and nationalization of all properties employed in the manufacture and production of the necessities of life. Is not that so?

Mr. BERGER. No, sir. That is where the gentleman from New York does not understand socialism. We do not want to take over—to nationalize—the industries until these industries are centralized by the process of economic evolution.

Mr. MICHAEL E. DRISCOLL. I am glad I do not understand it all.

Mr. BERGER. All right. But we want only the nationalization of such industries as are centralized.

Mr. MICHAEL E. DRISCOLL. You would take in all of the steel business?

Mr. BERGER. Yes. The steel business is controlled by a trust. We want to nationalize all business that is trustified.

Mr. MICHAEL E. DRISCOLL. Very well. We have got as far as the gentleman from Wisconsin will now admit, but some of his friends, to my certain knowledge, go much further than he does. I think they are just as good Socialists as he is, but a little more progressive; that is all.

Mr. BERGER. Will the gentleman yield further?

Mr. MICHAEL E. DRISCOLL. I will yield for a question, but not for a speech.

Mr. BERGER. Oh, no; I do not want to make speeches in the gentleman's time. I desire only to ask the gentleman a question. Does not the gentleman believe that I should know what Socialism stands for?

Mr. MICHAEL E. DRISCOLL. And does not the gentleman from Wisconsin think that I, as a Republican, should know what Republicanism stands for? And yet there are Republicans out in the wild and populist West that do not stand for the same things I do. [Laughter.]

Mr. WARBURTON. I think the gentleman from New York is right. [Laughter.]

Mr. BERGER. Yes. But there are just now 57 varieties of Republicans but only one kind of Socialists.

Mr. MICHAEL E. DRISCOLL. I am afraid the gentleman from Wisconsin is not the true brand of Socialism. I have talked with them, read their books and their doctrines, and I know the logical carrying out of their doctrine means the nationalization of all things, even the necessities of life.

Mr. MADDEN. And the ownership of all the farms.

Mr. MICHAEL E. DRISCOLL. Yes; it would include the land; you would socialize every farm in the country.

Mr. MADDEN. And make serfs of all the people.

Mr. BERGER. Oh, no, no.

Mr. MOORE of Pennsylvania. Will the gentleman from New York yield?

Mr. MICHAEL E. DRISCOLL. I will yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Does not the gentleman think they would also have some plan by which we could get potatoes and eggs on the Government plan?

Mr. MICHAEL E. DRISCOLL. I think so. The time seems to be approaching, and is quite near at hand, when people will look to the Government—and especially the Federal Government—for support. The Socialist Party in Congress is logical and consistent, although, in my judgment, a little conservative for a Socialist, whereas other gentlemen who are advocating the construction of country roads, draining of swamps, and the management of the express business by the Federal Government are drifting into socialism under different names.

Practically every new doctrine proposed by the insurgents and progressives of the South and West, including all those proclaimed by the Peerless One and the Colonel, have been taken directly from the Socialist platform and have been served up to the people with but very little modification.

You gentlemen who call yourselves progressives and insurgents, and are proud of the appellations, flatter yourselves that you are original, and that because you are original you are statesmen, whereas you are plagiarists and reactionaries, for you are going backward to the doctrines and principles advocated by the German Socialists of 30 or 40 years ago.

The gentleman from Wisconsin [Mr. BERGER] has served a useful purpose here to-day by clearly pointing out to the people of the country who care to know that the postal-express bill which we are here considering, if enacted into law, will precipitate the country into national socialism. If that is what the country wants, and if that is what you gentlemen who are advocating this measure want, you are consistent in taking this first step.

Now, Mr. Chairman, I want to say a word to those 39 gentlemen who prepared these 39 separate bills. Some of you who in theory are antipaternalists and States-rightsers would prefer to have the money sent to your States and there spent by your own officials. But you can not always have your own way in this regard, and when an appropriation is before you by which your districts or States may get some advantage it is then a condition and not a theory which confronts you. You are human, and yield to the demands of your people at home, who are constantly looking for help from the Federal Government, and you waive your academic views and grab for the appropriation. The fact is, your practical notion of State rights is to dip into the Federal Treasury as often and as deep as possible. [Laughter.]

You came together, you 39 gentlemen, and made up this composite bill. You have reduced 39 to 1. You think it looks mild and harmless and that it will appeal to one State as much as to another, and thus commit the Congress to the policy of giving Federal aid to country roads. But let us not be deceived. When you get this bill into law on the statute books you will demand more. You will then demand that the Federal Government build your roads in some States, and send the money into other States for that purpose.

I have been watching the development of this Federal aid for ordinary highways movement for some years, and I think I understand the motives of the gentlemen who are back of it. There is a National Good Roads Association or organization, of which some years ago Mr. Batchelder, of New Hampshire, was president. He was also a granger and an officer in that organization. He went into the State of New York, as I was informed, and made some speeches and circulated some literature and persuaded some of the New York grangers to commit themselves to his policy. I made a speech here in Congress against it, and the Grange of Onondaga County sent for me to go home and explain my position. I did so, and discussed the matter before them in their county convention for two or three hours, and explained to them that it was to their advantage to stay in partnership with New York, Buffalo, and the other great cities of the Empire State for the construction of country roads in our State rather than to go into a pool with North Dakota, Montana, and other large States with long roads for the construction of country roads out of the Federal Treasury and at the common expense [laughter], and I think they saw it that way.

Mr. GARNER. Will the gentleman yield?

Mr. MICHAEL E. DRISCOLL. Yes.

Mr. GARNER. The gentleman's principal objection to this bill, as I gathered from the first of his speech, is that if we ex-

clude certain cities from it New York would not get over 20 per cent, according to population. Now, his principal objection is that New York would not get her pro rata part?

Mr. MICHAEL E. DRISCOLL. As a practical question, I am against it from start to finish.

Mr. GARNER. The gentleman's objection is that New York would not get its part.

Mr. MICHAEL E. DRISCOLL. I contend that the building of ordinary country roads is a duty of the State, of the county, of the town; and in cities it is the duty of the city; and none of these municipalities should ask Federal aid to help them build their roads. They are now constantly demanding assistance from the Federal Government to do things that people did not dream of as national functions 30 or 40 years ago.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. MICHAEL E. DRISCOLL. Yes, sir.

Mr. BORLAND. Does not the gentleman believe that the wealth of New York City is drawn from the entire Nation just as much as it is from the State of New York?

Mr. MICHAEL E. DRISCOLL. It is drawn from all sources from which it will come. I have no doubt that New York does business with everybody it can.

Mr. KENDALL. And does anybody that it can.

Mr. HELGESEN. Mr. Chairman, the gentleman has talked about North Dakota. I want to say that North Dakota has better roads to-day than New York has, in spite of all the money that they have spent in New York. Furthermore, the reports of the Agricultural Department show that the farmer gets less than 50 per cent of what the consumer pays. So if you want cheaper living you do not want to take it out of the farmer, but out of your transportation.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I am delighted to hear that North Dakota has good roads, because that will mean that the gentleman from North Dakota will not join this gang of pirates who are trying to loot the Treasury [laughter] to build ordinary roads with. I am glad they have good roads up there, and I hope they will be better; and I wish there were good natural roads in other States, so that it would relieve the Treasury of the United States from the raid on it which is now threatened. What will these progressives be at next, when they get the National Government permanently engaged in road construction? Why, they have already organized a National Drainage Congress, whose mission is to engage the Federal Government in the business of draining swamps. I thought when they had national associations for the building of country roads and for the irrigation of arid lands in the Rocky Mountain regions that was about as far as they would want to go. But I was mistaken. They now want to drain their swamps. There are about half a million acres of swamps in New York.

Mr. MOORE of Pennsylvania. And they also want to drain the Treasury.

Mr. MICHAEL E. DRISCOLL. And there are about 19,000,000 acres of swamps in Florida. New York would pay about seventy-nine times as much money into the Treasury as Florida, and Florida would draw out thirty-eight times as much as New York to drain these swamps.

Mr. SHACKLEFORD. If that be true, does the gentleman not think it would be well for Florida and North Dakota to hitch up?

Mr. MICHAEL E. DRISCOLL. I do not expect the hitch up will be in just that way.

Mr. SHACKLEFORD. Would it not be wise for them to join in this crusade that the gentleman is talking about?

Mr. MICHAEL E. DRISCOLL. I think North Dakota ought to stand with me, because it has no swamps and has good roads. [Laughter.]

Mr. HOBSON. Mr. Chairman, will the gentleman yield?

Mr. MICHAEL E. DRISCOLL. Yes.

Mr. HOBSON. I just want to ask the gentleman how he reconciles his philosophy with the clause—

Mr. MICHAEL E. DRISCOLL. I have not been talking philosophy. I have been talking practical business. [Laughter.]

Mr. HOBSON. How he reconciles that with the clause in the Constitution that our fathers put there authorizing the Federal Government to build and maintain post roads?

Mr. MICHAEL E. DRISCOLL. Oh, my father had nothing to do with that. [Laughter and applause.] But I love the Constitution and believe in it. I deplore the fact that some people seem disposed to tear it into shreds when an appropriation is concerned. If some of these gentlemen had their way—not for a very long time, but for a very short time—there would be no money left in the Treasury and there would not be a shred left of the Constitution. These gentlemen make speeches about State rights and antipaternalism, but when it comes to an



actual appropriation they have but very little regard for that immortal document, while I believe in sustaining it and would be proud if I had any share in its adoption, by inheritance or otherwise.

Mr. HOBSON. Does the gentleman believe that the large appropriations that are made for the improvement of New York Harbor and other public improvements associated with that great city ought to be opposed by the States that are inland?

Mr. MICHAEL E. DRISCOLL. Does New York get as much, according to its business and population, as does Mobile, according to its business and population?

Mr. HOBSON. I would venture to say that the gentleman would find, if he will follow the record straight through, that New York has gotten the lion's share.

Mr. HILL. Oh, no.

Mr. MICHAEL E. DRISCOLL. New York has the greatest and finest harbor in the whole country, and two-thirds of our tariff revenues are collected there. New York State a few years ago bonded itself for \$50,000,000 for the construction of country roads, and the cities and towns have appropriated about the same amount to meet the State appropriation. Our State only a few years ago bonded itself for \$101,000,000 to dig what is known as the barge canal, and before that canal is completed and all riparian and other damages fully settled and paid it may reach the sum of \$150,000,000.

From the year 1817, when our State commenced the construction of the old Erie Canal, to the present time, it has spent nearly \$400,000,000 for the construction, improvement, and maintenance of its canal system, very largely for the benefit of other parts of the country. New York's old Erie Canal was opened up for navigation in the year 1826, and at about the same time the fertile lands of the Mississippi Valley were opened up to cultivation, and the canal furnished for the products of the West a cheap means of transportation to New York and the other great consuming cities of the East.

When the barge canal is completed it will help New York City and Buffalo very much in a commercial way; also it will help the cities along the line some, but it will help the farmers, manufacturers, and producers of commodities throughout the western part of our country very much. It will be really a national waterway, and if it were in any other State except New York the people would demand that it be built at the expense of the National Treasury. It will keep the rates down not only on New York Central lines, which parallel it from Albany to Buffalo through the center of the State, but on all trunk lines from the West to the Atlantic seaboard. Yet our State is not asking the United States Government to build or assist in building this grand waterway, while my friend from Pennsylvania [Mr. MOORE] and others are organizing and maintaining an organization, known as the Deep Waterways Congress, for the construction, I think, of an inland waterway. They are very worthy gentlemen, clever and hospitable. They hold their congress or convention every year and invite us to attend, and give us dinners, wines, and cigars, and are very hospitable on those occasions, always with the same end in view, that they persuade the Congress to construct their waterways—

Mr. MOORE of Pennsylvania. Does the gentleman know—

Mr. MICHAEL E. DRISCOLL (continuing). Whereas we are digging our own.

Mr. MOORE of Pennsylvania. That is in order that the great traffic coming from the West may have a market in the East; that the farmers of the West may have the advantage of the markets of the East.

Mr. MICHAEL E. DRISCOLL. New York State proposes to bond itself for an additional \$50,000,000 to build roads. Why do you not do it? Go home and build your roads by a tax on your counties, towns, and cities, or by State aid, or in any way you please. The construction of roads is a local and internal work and should be taken care of by the State and municipal divisions thereof.

New York has purchased nearly 1,700,000 acres of forest reserves, and has already planted about 15,000,000 trees on those reserves, and it spends about \$600,000 a year in the protection and reforestation of those reserves.

It spends about \$250,000 through the health officer of the city of New York. Nearly all the immigrants who come to this country come through New York Harbor, and the examination of those immigrants for the purpose of the prevention of disease and the spread thereof is a direct benefit to the whole country as well as New York. Our State spends about a million dollars annually for defense, for the National Guard, Naval Militia, armories, arsenals, and so forth, for the direct benefit and protection of the whole country as well as New York. Our State is doing many things for itself which the other States never think of doing, but are constantly appealing to the Federal

Government to do for them; and this proposition to tax the Government \$25 a mile a year for the use of a road for one horse and wagon is a part of the comprehensive and growing scheme to tap the Federal Treasury a little at this time in an apparently harmless way but much more by and by.

Mr. HOBSON. Will the gentleman yield for a question?

Mr. CANNON. Will the gentleman yield?

Mr. MICHAEL E. DRISCOLL. I yield to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I just want to ask the gentleman one question. Is not it true that if that \$25 proposition goes in for the perfect road, and down to \$15, that New York will get \$100 for rent of her roads where Illinois and Alabama will get \$1?

Mr. MICHAEL E. DRISCOLL. I have not any doubt, Mr. Chairman, that that is so, because New York, according to her area, has more good roads than perhaps any other State. But we do not ask it for New York. New York does not ask any such help from Congress. There is not a man from New York who proposes such a high-handed and unreasonable measure as this. [Laughter.]

Mr. HOBSON. I wanted to ask the gentleman if his conception of highways is not of intrastate highways only; whether in his philosophy he contemplates interstate highways?

Mr. MICHAEL E. DRISCOLL. I must again appeal to the gentleman not to lead me into the realm of "philosophy." [Laughter and applause.] I have not studied philosophy since I was in college.

Mr. HOBSON. I will state it in another way. Does the gentleman believe as a Nation that each State ought to proceed individually, irrespective of its adjoining State, and build a pot pourri of roads throughout the country?

Mr. MICHAEL E. DRISCOLL. Each one should build its pot pourri in the way it thinks best. [Laughter.] If each State would build its own roads to the borders of the State, then all the roads would be built.

Mr. HOBSON. I will ask the gentleman in this form: Would he support a bill—and I have introduced one—under which the Federal Government would make a general survey of all the roads, so as to coordinate the States?

Mr. MICHAEL E. DRISCOLL. I have opposed that proposition time and again and expect to continue to do so.

Mr. MOORE of Pennsylvania. Before the gentleman takes his seat I want to ask him one question, responding to the suggestion of the gentleman from Illinois [Mr. CANNON]: The money that is expended upon the roads in New York State is the money of the people of the State of New York?

Mr. MICHAEL E. DRISCOLL. Certainly it is.

Mr. MOORE of Pennsylvania. The money that is proposed to be spent by this bill upon the roads of this country out of the Federal Treasury is also the money of the people of this country, is it not?

Mr. MICHAEL E. DRISCOLL. I do not know what you are leading to. I object to some of the ways they propose to get into the Treasury, and I object to them getting in for that purpose.

Mr. MOORE of Pennsylvania. The gentleman will answer the question, I think. I want to know if it is not the people's money we propose to spend on these good roads?

Mr. MICHAEL E. DRISCOLL. Yes; in the way it is spoken of.

Mr. MOORE of Pennsylvania. Then if the people of New York spend their own money upon their own roads, and are then called upon again to spend their money upon these good roads in other States, will they not be taxed twice for good roads in this country?

Mr. MICHAEL E. DRISCOLL. Certainly. And that is what I told the people in my district, who called me home to explain these bills in regard to good roads. After New York will have bonded itself for many hundred millions of dollars for the construction of its highway system and will have established good roads throughout that Commonwealth, and every farm and home therein will be liable to tax for the payment of the interest and principal on those bonds, the other States, if they have their way, will have their roads built at the expense of the Federal Treasury, and the New York people will have to contribute a large proportion toward the expense of constructing roads in other States in addition to liquidating the bonds and obligations for the construction of roads in their own State. That will be double taxation, against which I am trying to warn the people of our State, and what applies to New York applies to Pennsylvania and all the other large, populous Commonwealths in the country. [Applause.]

The CHAIRMAN. The time of the gentleman from New York [Mr. MICHAEL E. DRISCOLL] has expired.

Mr. MOON of Tennessee. Mr. Chairman, I yield 15 minutes to the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. O'SHAUNESSY. Mr. Chairman, section 6 of the bill under consideration is, to my mind, a new charter of freedom for the post-office clerks and carriers of the country. It emancipates them from the slavery of gag rule and petty despotism. I regret that Congress should find it necessary to enact a law giving to this vast body of employees the constitutional right of free speech and petition. But that they have been denied that right is conceded by all who have considered the subject, and I look upon it as a disgrace to realize and to know that because these men are confined within the four walls of post offices they should be told to shut up whenever they feel that they have a grievance or whenever they have a petition to present to Congress.

It is a splendid tribute to the wisdom of the Democratic majority in this House, following along the lines of legislation already enacted, to take up the grievances of these men, not only for a proper eight-hour regulation of their work, but, more than that, for the constitutional right of free speech. I value principle more than I value a dollar. I believe that the principle of free speech and the principle of the right of petition is far more valuable to any post-office clerk and to any letter carrier, or to any employee in the Government departments, than the mere question of compensation.

I marvel to realize that such a gag should have been put into the mouth of any man or any individual, and my astonishment becomes more alarming when I consider the source of this mean and contemptible order. I sent over to the White House the other day for the orders dealing upon the subject of gag rule. I do not believe it has been dwelt upon in this House with sufficient force, and I have not heard it adverted to, and therefore I shall read the Executive order which bears the date of January 31, 1902:

EXECUTIVE ORDER.

All officers and employees of the United States of every description, serving in or under any of the executive departments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments in or under which they serve, on penalty of dismissal from the Government service.

THEODORE ROOSEVELT.

WHITE HOUSE, January 31, 1902.

That order, in my judgment, would be a good order for a Czar to issue. That would be a good order for a man who loved despotism to issue. But what was my surprise to find that it was issued by a "friend of the people," that incarnation of altruism who is preaching the gospel of free speech, and incidentally seeking a third term at the hands of the American people—Theodore Roosevelt. [Applause on the Democratic side.] This man who preaches free speech put the first gag in the mouth of every Government employee, and said to him when he came with a legitimate petition, a legitimate grievance to Congress: "You shall not speak; you have not got the right of an American citizen to present your grievance to Congress." [Applause on the Democratic side.]

Four years went by, time enough in which to consider the order; time enough to consider what were its effects upon men who were grieving under its burdens, who were chafing under its restraints, who felt that they did not have the right of free men in a free country, who knew that they were denied the right to organize, and who were told that they should go to their department heads and give them their grievances and petitions. Why, a man might as well go to his executioner as go with a petition or grievance to one of those department heads. Clothed for the time with a little brief authority, exercising that despotic sway which only small, petty individuals can exercise, what chance would there be for a petition, what chance would there be for a grievance to be heard under those conditions? Department heads and superintendents are part of the machine which bosses the employees; their sympathies and beliefs are at variance with the men under them. They have no concern for the men's grievances, and it is farcical to say that the employee can secure justice by petitioning his chief. The employee who is foolish enough to bring his tale of woe to his chief invites either a reduction in pay or dismissal from the service.

Four years went by, and the same gentleman who preaches the doctrine of free speech, but who placed the gag in the mouth of every Government employee, renewed the order, only to enlarge its provisions. I read the order of January 25, 1906, signed by the same man:

EXECUTIVE ORDER.

The Executive order of January 31, 1902, is hereby amended by adding "or independent Government establishments," after the words "departments" in the third and ninth lines.

As amended the order will read as follows:

All officers and employees of the United States of every description, serving in or under any of the executive departments or independent Government establishments, and whether so serving in or out of Washington, are hereby forbidden, either directly or indirectly, individually or through associations, to solicit an increase of pay or to influence or attempt to influence in their own interest any other legislation whatever, either before Congress or its committees, or in any way save through the heads of the departments or independent Government establishments in or under which they serve, on penalty of dismissal from the Government service.

THEODORE ROOSEVELT.

THE WHITE HOUSE, January 25, 1906.

The language is similar to the language of the first order; so that there was no repentance upon his part, so that there was no heeding of the cry of distress raised by these men, struggling along, if you please, upon a wage schedule which was established in 1854, and, in addition to that scanty remuneration for their work and labor and service, they were burdened and shackled by this rule imposing silence in the face of exasperating conditions.

The present occupant of the White House, following in the footsteps of his predecessor, made an additional order on November 26, 1909. Here it is:

EXECUTIVE ORDER.

(No. 1142.)

It is hereby ordered that no bureau, office, or division chief, or subordinate in any department of the Government, and no officer of the Army or Navy or Marine Corps stationed in Washington, shall apply to either House of Congress, or to any committee of either House of Congress, or to any Member of Congress, for legislation or for appropriations or for congressional action of any kind, except with the consent and knowledge of the head of the department; nor shall any such person respond to any request for information from either House of Congress, or any committee of either House of Congress, or any Member of Congress, except through or as authorized by the head of his department.

WM. H. TAFT.

THE WHITE HOUSE, November 26, 1909.

Let us say, in justice to the gentlemanly occupant of the White House to-day, that although he issued that order in 1909 he has seen fit recently to make a modification of it and of President Roosevelt's two orders, and for that modification I want to give him the credit which he justly deserves. [Applause.] I will read that last order:

EXECUTIVE ORDER.

(No. 1514.)

It is hereby ordered that petitions or other communications regarding public business addressed to the Congress or either House or any committee or Member thereof by officers or employees in the civil service of the United States shall be transmitted through the heads of their respective departments or offices, who shall forward them without delay with such comment as they may deem requisite in the public interest. Officers and employees are strictly prohibited either directly or indirectly from attempting to secure legislation, or to influence pending legislation, except in the manner above prescribed.

This order supersedes the Executive orders of January 31, 1902, January 25, 1906, and November 26, 1909, regarding the same general matter.

WM. H. TAFT.

THE WHITE HOUSE, April 8, 1912.

I say that the President of the United States deserves credit for taking a step forward and hearkening to the provisions and principles of the Constitution of the United States, which guarantees the right of free speech to every citizen of this country. [Applause.] It seems strange, referring again to the first two orders, that a man who is making such a clamor for public recognition and who is seeking the approbation of the American electorate in the primary contests now waged throughout the country, should be speaking so vociferously about the right of the people to rule when he himself, in two Executive orders, forced down the throats of every Government employee in this country this un-American and unrighteous gag rule. [Applause.]

Recognizing the right of every citizen to free speech and to petition Congress, this Democratic House glories in the reiteration of the principle contained in the first article of amendments to the Constitution of the United States, and by this legislation we strike from the enslaved employees all fetters and restrictions, thus restoring them to an atmosphere of liberty and freedom and rescuing them from the suffocating confines of departmental despotism.

We are not content with the faint-hearted recognition by President Taft of the right of every citizen to petition Congress; he would emasculate that right by having petitions go through heads of departments. We score without reservation the high-handed Executive orders of President Roosevelt, and we pity the feeble attempt at correction by his successor. This bill will remove the dread and fear which to-day paralyzes the manhood of civil-service employees. We know that a man with fear in his heart can not enjoy his life. Instead of a living, breathing, red-blooded man, he becomes a mere pawn or automaton. This bill will give these men the right to organize, so that in their



peaceful assemblies they can discuss their conditions and seek in the open daylight a remedy for every abuse.

The hearings before the committee that had this question under consideration revealed the fact that many men to whom was given the right to seek the betterment of their condition through legislation were only given a mock license, terminating generally in enforced resignations. Men seeking to better their condition by invoking the aid of their Congressmen soon found themselves in disfavor when they returned to their employment, and by some subterranean method their official extinction was quickly accomplished, and they soon found themselves out of a job.

As an old Government employee who knows the exacting hardships which these men have to endure and their constant toil and labor, because Uncle Sam's work never flags, I take particular pleasure in bearing testimony to their industry and their fidelity. I well recall my experience as a clerk in the New York post office. There is a portal there through which the employees enter that will not close until the judgment day. The massive door of that portal was pushed back many years ago, and is embedded in a groove grown rusty through misuse. Beyond that door and within the building an atmosphere choked with dust and dirt from mail bags has worked the physical destruction of many an employee. No doubt many post offices throughout the country are afflicted with the same insanitary conditions. Night and day the work goes on, and the men who to-day are gagged by Executive orders and denied the right to organize, labor and toil in the prescribed ruts of dull Government routine. For the work they do they are poorly compensated and slightly appreciated. They have worked hours without number in overtime without remuneration, and, of course, they suffer from the tyranny and despotism of the petty officials whose sense of importance exacts implicit obedience in the minutest detail to every order and rule. And to cap the climax they are branded, although American citizens, as inferiors to their fellows by Executive orders.

It is anomalous that throughout all the legislation enacted for the benefit of Government employees in the way of reduction of hours of labor the 32,319 clerks employed in the 2,351 first and second class post offices of the United States should never have been able to bring Congress to a recognition of their just dues.

Realizing that this Democratic majority, through the committee which has reported this bill, have seen fit to recognize the just demands of these honest, hard-working, and conscientious laborers in the field of Government employ, I want to congratulate that committee, and I want to congratulate the Democratic majority in this House, which I know is anxious to record itself in favor of the appeals of these 32,319 clerks to whom justice has been so long delayed. This bill will also restore to the letter carriers of the country the eight-hour law out of which they were juggled by a Republican House in 1900. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield one-half hour to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Chairman, when this debate is finished and a motion is in order I shall move as an amendment to the pending appropriation bill to strike out all of section 9 now in the bill, and in lieu thereof insert my bill for a general parcel post, as follows, to wit:

Sec. 9. That the common weight limit of the domestic postal service of the United States is hereby increased to 11 pounds, the common limit of the Universal Postal Union, and that in the general business of the post office the 1-cent-an-ounce rate on general merchandise—fourth-class mail matter—be, and is hereby, reduced to the third-class rate, 1 cent for each 2 ounces or fraction thereof.

That the rate on local letters or sealed parcels posted for delivery within the free-delivery services is hereby determined at 2 cents on parcels up to 4 ounces, 1 cent on each additional 2 ounces; at non-delivery offices, 1 cent for each 2 ounces.

That all mail matter collected and delivered within the different rural routes of the United States is hereby determined to be in one class, with rates, door to door, between the different houses and places of business and the post office or post offices on each route, as follows: On parcels up to 1 twenty-fourth of a cubic foot, or 1 by 6 by 12 inches in dimensions and up to 1 pound in weight, 1 cent; on larger parcels up to one-half a cubic foot, or 6 by 12 by 12 inches in dimensions and up to 11 pounds in weight, 5 cents; on larger parcels up to 1 cubic foot, 6 by 12 by 24 inches in dimensions and up to 25 pounds in weight, 10 cents. No parcel shall be over 6 feet in length, and in no case shall a carrier be obliged to transport a load of over 500 pounds. That the word "packet" wherever used in laws relating to the postal service means all matter of every class which is by law made mailable.

That on all unregistered prepaid mail matter without declared value an indemnity up to \$10 shall be paid by the Post Office Department for such actual loss or damage as may occur through the fault of the postal service, and this without extra charge. Certificates of posting shall be provided on demand. On registered parcels of declared value, and on which the fee for registration, insurance, and postage has been duly prepaid, the Post Office Department shall pay the full value of any direct loss or damage that may occur through the fault of the postal service. The fees for insurance and registration shall be as follows: For registration and insurance up to \$50, 10 cents; for each additional \$50, 2 cents. No claim for compensation will be admitted if not presented within one year after the parcel is posted.

Mr. Chairman, this proposed general parcel-post amendment to the pending Post Office appropriation bill is the identical bill I introduced on April 4, 1911. It has been pending in the committee ever since. It is the parcel-post bill people of this country want, and if it is adopted the United States will have a general parcel post. The neglect of the United States to establish a general parcel post has for years limited the easy exchange of commodities and merchandise between producers and manufacturers and the consumers, and it has placed our Government far behind the times in progressive legislation for the people.

It is a fact that to-day under the English-post-American-express arrangement parcels can now be sent from any part of Great Britain to any part of the United States at the following rates: Three pounds for 30 cents, 7 pounds for 49 cents, and 11 pounds for 79 cents. And under the British contract with the American Express Co. these parcels are transported from one end of this country to the other, 3 pounds for 36 cents, 3 to 7 pounds for 48 cents, and 7 to 11 pounds for 60 cents. Meantime the express companies tax domestic merchandise of the same weight from 75 cents to \$5.50, according to the distance traversed, while the post office taxes the public for a similar domestic service on a 3-pound parcel 48 cents, on a 7-pound parcel in two packages \$1.12, and on an 11-pound parcel in three packages, \$1.76.

What a spectacle is presented to-day to the Congress of the United States when we witness this unjust discrimination against our own people in favor of the foreigners. Who owns the post-office facilities in the United States, the people of Europe or the people of America? That is the question the voters are asking us and are going to ask every Member of Congress in the coming campaign. I know where I stand. My position can not be misunderstood. I stand for the people when the people are right, and they never were more right in all their lives than they are to-day when they appeal to their Representatives in Congress to give them what every other civilized government on earth has—a general parcel post.

The people demand and have demanded for several years a general parcel post. I know the people of the country favor its inauguration. I feel confident its establishment will be of inestimable benefit and advantage to the producers and to the consumers and to all concerned.

Just think of it. A person living in any part of Europe can send to any part of the United States by mail a parcel weighing two and one-half times more than the United States limit for about one-third less in cost than the present home rates. In other words, the world postal-union package unit is 11 pounds to the parcel, at the rate of 12 cents per pound, whereas the United States unit is only 4 pounds to the package and at a cost of 16 cents to the pound. The parcel rate in the United States prior to 1879 was 8 cents per pound for a package limited to a weight of 4 pounds. After that the rate was doubled, but the weight remained the same. Since 1879 the cost of transportation has greatly decreased. The question is, Why should not the people be given the benefit of this decrease by the establishment of a uniform low postal rate for parcels that will encourage the use of the post office as a medium of exchange of commodities and thus greatly facilitate trade?

Since the introduction of the rural free-delivery system in this country its operation has proved so satisfactory and so successful that Congress overlooks the annual deficit arising from the unreasonable restriction placed in the law limiting the kind of postal matter to be carried to letters, newspapers, and periodicals. The weight of this average load is ascertained to be but 25 pounds per trip, while the vehicle which the postal agent is required to supply can readily carry at least 500 pounds.

It is estimated that should the restriction be removed and parcels be carried enough revenue would be received from the additional postage to more than pay the total cost of the system, and not only make it self-supporting, but largely decrease the annual postal deficit. Besides the establishment of a general parcel post would, to a very large extent, cheapen the cost to the consumers of the necessities of life and go far to lighten the burdens of the average family.

Our failure to provide a general parcel post is causing to the post office a needless loss of \$38,000,000 a year, and to the public a loss of hundreds of millions, while at the same time we deprive the carriers of an opportunity to earn a reasonable living; and the time is now at hand for Congress to heed the insistent demand of the people for an extended parcels post along the lines of my bill, the express companies to the contrary notwithstanding.

The people are going to win this fight. The citizens of the United States are certainly entitled to utilize the advantages of their own post-office system the same as the people in Europe now do; and they would gladly do so if the Congress would only enact a law, and to this end I appeal to the patriotic Members

of Congress to lend a helping hand in this struggle for genuine postal reform.

The post office is one of the oldest governmental institutions, an agency established by the earliest civilizations to enable the people to inform themselves as to the plans and movements of their friends and foes, and from the dawn of history the only limit the people have placed upon this service has been the capacity of the existing transport machinery.

The *cursus publicus* of imperial Rome—the post office of the Roman Caesars—covered the entire business of transportation and transmission, and with its splendid post roads, swift post horses, and ox post wagons the Roman post office was a mechanism far wider in its scope than that of our modern post office; and, except for the use of mechanical power, the old Roman post was far more efficient in its service to the people than our modern post office in its service to American citizens.

The evil of the Roman post office, and the royal postal service that succeeded it, was its restriction to the enrichment of the ruling powers. They were the prototypes of our modern express companies, which have for their chief end the enrichment of their stockholders rather than the promotion of the public welfare.

As far back as 1837 Rowland Hill, of England, promulgated to the world the law that once a postal-transport service is in operation the cost of its use is regardless of the distance traversed upon the moving machinery by any unit of traffic within its capacity, and upon this law he established the English penny-letter post of 1839.

In this country the people own the post office and want to use it as their postal express company. Its end is to keep them informed, to make known their wishes, to provide means by which they may communicate with their fellow citizens for their mutual benefit, to supply their wants, and dispose of their wares at the least possible cost, in the shortest possible time, and with the greatest possible security.

The postal system of rates, regardless of distance, regardless of the character of the matter transported, and regardless of the volume of the patron's business, eminently fits it for this great service. That it will sooner or later be greatly extended is absolutely certain, and the people will duly appreciate the aid of those who assist in its extension and development for their benefit and advantage.

My bill is a meritorious measure. It raises the weight limit of the package from 4 pounds to 11 pounds, and reduces the postage on the parcel from 16 cents a pound to 8 cents a pound, and that was the postal rate for many years until the express companies doubled it in 1879.

During the past year the representatives of at least 10,000,000 American citizens, including the great agricultural associations of the country, National Grange, the Farmers' Union, the Farmers' National Congress, Retail Dry Goods Association of New York, the Associated Retailers of St. Louis, the Manufacturing Perfumers of the United States, the American Florists' Association, and many others, appeared before the House Committee on Post Offices and Post Roads in favor of my bill, demanding a general parcel post as extended and as cheap as that provided by the Postmaster General in our foreign postal service. The hearing showed that the public wanted at least an 11-pound parcel service at 8 cents a pound. Seldom, if ever, has any proposition received stronger public support, and it seems as if the House Committee on Post Offices begged the question when it reported the makeshift outlined in section 8 of the pending bill.

There is no reason in the world why the people of the United States should be deprived of the advantages of this benign legislation for a general parcel post, that will bring producers and consumers in closer touch and be of inestimable benefit to all the people, especially those who dwell in the large cities and live in the producing sections of the country. It has been adopted in every European country, and it ought to be adopted here. We have either made or are making postal conventions with the countries of the world by which their citizens can send through the mails to any part of the United States packages weighing 11 pounds at the universal postal rate, and the people of the United States are prohibited from doing the same thing because of our failure to enact a similar postal parcel law. It is a great injustice to the taxpayers of this country. It is a discrimination in favor of the foreigner against the citizen of the United States which is repugnant to my sense of justice. I am opposed to this inequality, and in order to obviate it I introduced my bill for a general parcel post. The Postal Progress League has indorsed it, and as I have stated the representatives of over 10,000,000 taxpayers of this country appeared before the committee and urged its enactment. Why should the bill not be enacted into law?

The time is now at hand for Congress to heed the insistent demand of the people for a general parcel post along the lines of my bill, the express companies, the jobbers, the middlemen, and others to the contrary notwithstanding.

Mr. Chairman, who is opposed to the general parcel post that the people want? I would like to know. Will somebody get up here and tell me? I pause for an answer. I have the figures and the statistics that will be used in the coming political campaign from one end of this country to the other. The question is squarely presented to us. We must say whether we are going to vote for the people and a general parcel post or for the express companies. The express companies dare not come down here and say they are opposed to a general parcel post. They would be laughed out of court. They know their presence here would do more than anything else to pass a general parcel-post bill.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield?

Mr. SULZER. Yes; for a question.

Mr. MICHAEL E. DRISCOLL. The bill for the parcel-post express—

Mr. SULZER. I am not talking about buying the express companies. That is not necessary. I listened to the gentleman's discussion about roads, but I am talking about a general parcel post, and I do not care to be interrupted about matters that I am not talking about. Let me ask the gentleman if he is in favor or against a general parcel post?

Mr. MICHAEL E. DRISCOLL. I am in favor of a parcel post.

Mr. SULZER. A general parcel post?

Mr. MICHAEL E. DRISCOLL. A general parcel post that will pay its own way. I am in favor of the zone system. Is the gentleman in favor of a flat rate all over the country?

Mr. SULZER. I am. That is what a general parcel post means.

Mr. MICHAEL E. DRISCOLL. Then that is where we do not agree.

Mr. SULZER. Very well; we do not agree. Some people say they are in favor of giving the people a parcel post, but they want to confine it to a little section of the country. Some people say they are in favor of a parcel post, but they want to confine it to a little larger section of the country; and then there are some people who want a parcel post and are willing to extend it to a little larger section of the country. I want a parcel post for all the country—that will be as general as the postal system. The zone system simply begs the question and amounts to nothing at all if you do not increase the weight limit more than 11 pounds and reduce the rate to less than 8 cents a pound. All the testimony adduced before the Interstate Commerce Commission, and all the testimony taken by the Post Office Committee, which is a matter of public record, goes to prove this conclusively. Years ago the same arguments were used against the 3-cent letter postage, and then against the 2-cent letter postage; and the same arguments will be made against a 1-cent letter postage. Rowland Hill, of England, was right when he said that once a postal service is in operation, the cost of its use is regardless of the distance traversed upon the moving machinery by any unit of traffic within its capacity. The idea of charging higher postage on a letter or a parcel on account of the greater distance it travels is an absurdity.

Mr. CANNON. Will the gentleman from New York yield for a question?

Mr. SULZER. Certainly.

Mr. CANNON. We monopolize the business of carrying letters. No letter can go without a 2-cent stamp by post, and it could not go at all with the express company without a 2-cent stamp. Now, is the gentleman from New York in favor of monopolizing the business of the parcel post up to 11 pounds?

Mr. SULZER. Yes. I say the Government ought to have a monopoly of the parcel post up to 11 pounds. The post office is our mutual express company.

Mr. CANNON. I quite agree with the gentleman.

Mr. SULZER. I am glad to hear that.

Mr. MURDOCK. Will the gentleman yield?

Mr. SULZER. Yes.

Mr. MURDOCK. Does not the gentleman from New York think that without the monopoly the 11-pound proposition would not be workable?

Mr. SULZER. Well, that depends. At all events I am with the Government in this matter. I am in favor of the Government doing the postal business that the people intend the Government shall do.

Mr. MURDOCK. Does not the gentleman think that unless we took over the monopoly, after we had put in the new rates under the 11-pound provision, that we would get all the long hauls, where we would make no money, and the express companies would continue and get the short hauls?



Mr. SULZER. That will not amount to much if we adopt the amendment which I shall offer. If we adopt that amendment the Government will have a monopoly of the parcel-post business up to 11 pounds. If, however, we should adopt the rate of 12 cents a pound on the rural routes, as provided in the present bill, I do not think the Government will be able to monopolize the business, because the rates in the present bill are too high. In my general parcel-post bill which has been pending in Congress for a long time the flat rate of 8 cents a pound, in the opinion of experts, gives the Government all the advantage. You must remember that prior to 1879 the rate was 8 cents a pound, but the express companies had more to say then than they have now, and through their influence in Congress in 1879 the rate was changed from 8 to 16 cents a pound. This gave the express companies a monopoly. Change the rate back to 8 cents a pound for 11 pounds and I believe the Government will have the monopoly. Why should express companies be given a monopoly on the profitable parcel-carrying trade, while the postal department contents itself with the least profitable? Why should the Government give foreign 4-pound parcels a rate of 48 cents while we must pay 64 cents, regardless of distance? Why is it a package of any weight up to 11 pounds can be carried in our mails, if mailed in a foreign country, while we can mail but 4 pounds, and even then must pay 33½ per cent more? Why should the Post Office Department stagger under a deficit while the express companies take the cream—express companies that pay 100 and even 200 per cent profit, in spite of their extravagant and unscientific methods?

Let me say that many believe the express companies are carrying parcels in violation of the Federal statutes which prohibit this privilege to private persons. Their rates, at all events, are exorbitant, exceeding first-class freight rates in some cases 37½ times. The profits of this Government-fostered monopoly would wipe out our annual postal deficit, and enable the department to establish an immediate 1-cent letter rate.

Cheaper parcel transportation rates would be an unqualified benefit to all the people. The express companies have not openly shown opposition to the movement. It has appeared from officials of associations of wholesalers and retailers, mostly retailers of heavy-weight goods, paints, vehicles, lumber, farm machinery, etc., that could not move by parcel post if we had one.

Why should organizations of wholesalers and retailers, for the most part engaged in selling lumber, heavy hardware, and other nonpackage freight, incur expense in opposition to the parcel post when it would in no material way affect business except to benefit it? For an answer read their printed testimony given at the hearings.

Their claim that the mail-order houses are behind the parcel-post movement, the better to flood the country with their goods to the injury of the small retailers, was not substantiated. On the contrary, it is shown that Sears, Roebuck Co., of Chicago, is opposed to the parcel post, as are other catalogue houses, and for a very good reason. They have built their business up on the 100-pound minimum freight weight charge and make use of the mail or express service but seldom. Consequently, the establishment of a parcel post would tend greatly to disturb their business and to help the village retailer who would make himself the local agency through which the parcel-post system would naturally operate.

The testimony at the hearing showed that the parcel-post system in England has not tended to create catalogue houses, nor has it in Germany or other countries tended to foster great department stores. It has done two things and has done them effectively. It has eliminated a costly and extravagant express monopoly and has greatly accommodated the general public, consumer, retailer, and wholesaler.

Mr. BARTLETT. Will the gentleman yield?

Mr. SULZER. Yes. I want to put back the old rate of 8 cents a pound, the people's rate, and I want the Government to get the parcel business, and not the express companies.

Mr. BARTLETT. If, as the gentleman suggests, we have an 8-cent flat rate, will that not make the man who lives within 25 miles of the shipping point pay more than his proportion in comparison with the man who lives 1,000 miles away from the shipping point?

Mr. SULZER. I have explained that. When the machinery of postal transportation is in operation, distance has little to do with cost so far as maximum capacity is concerned. The average haul of all parcels in the United States, according to the testimony which has been taken before the Interstate Commerce Commission, is 200 miles. That is, taking in all of the hauls throughout the United States.

Mr. BARTLETT. Very well; put it at 200 miles. If you have an 8-cents-a-pound flat rate will not the man who lives within 25 miles of the shipping point have to pay more than his due

proportion of the rate in order that the man who lives 200 miles away may get it at 8 cents a pound?

Mr. SULZER. Not to any greater extent than he now does on postage.

Mr. BARTLETT. Else you will have to make the Government carry it at a loss.

Mr. SULZER. The same rule that applies to carrying a letter or a newspaper applies to a small parcel.

Mr. BARTLETT. You make the man pay for a short haul as much as the man pays for a long haul.

Mr. SULZER. As Rowland Hill said, when the postal transport service is in operation the distance is immaterial.

Mr. NORRIS. Mr. Chairman, will the gentleman yield?

Mr. SULZER. Yes.

Mr. NORRIS. I want to put a concrete question. Supposing his bill were enacted into law, and the gentleman wanted to send from here to Alexandria—which is across the river—a package of 11 pounds. It would cost 88 cents. Does not the gentleman think that that would be exorbitant and unreasonable—entirely too high?

Mr. SULZER. No more so in comparison than the cost for a letter carried the same distance.

Mr. NORRIS. Oh, there is no comparison.

Mr. SULZER. In dealing in a big, broad way with a general parcel post no distinction should be made in principle between a letter and a package.

Mr. NORRIS. But the gentleman ought to make a distinction. There is a very great difference.

Mr. SULZER. Those who understand the question are familiar with the fundamental law of economics promulgated and established by Mr. Hill years ago. Let me say over again that as far back as 1837 Rowland Hill, of England, promulgated to the world the economic law that once a public transport service is in operation the cost of its use is regardless of the distance traversed upon the moving machinery by any unit of traffic within its capacity. That principle is so well understood to-day by every student of political economy that it can not now be successfully questioned or controverted. A general parcel post, once established with reasonable rates, regardless of distance, regardless of the character of the matter transported, and regardless of the volume of the patron's business, is eminently fitted for great service to the people. That it should be extended over the entire field of postal transportation is absolutely certain.

In this connection I want to say that the Interstate Commerce Commission has made a very thorough investigation of the question. The data obtained are so complete and so conclusive that I see no reason for the provision in this bill for the appointment of another commission to make a further investigation. It is unnecessary. We have all the figures, all the statistics, all the information that we can possibly get about this subject of a general parcel post. If a new commission should sit for the next 10 years it could not give this House any more information upon the subject than we have now.

What does the investigation of the express companies before the Interstate Commerce Commission show? It is shown that the nine express companies own \$54,000,000 of railroad securities, that they own \$25,000,000 of express securities, and that they own \$11,000,000 of securities of other common carriers, a total of \$91,000,000 of stocks and bonds of railroads and other common carriers. The value of the stock of these companies to-day is considerably over \$300,000,000. How are you going to take away the property of the express companies under the Constitution of the United States, as provided in the Goeke bill, unless you give the express companies what the property is reasonably worth? Do the gentlemen who advocate the Goeke bill think they can confiscate the property of the express companies?

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. SULZER. Just a moment. I want to make this clear. The reason I am opposed to buying out the express companies is because it will cost too much and is not necessary, and because I believe it is a mere subterfuge to prevent or delay the establishment of a genuine parcel post.

Mr. LEWIS. Mr. Chairman, will the gentleman yield for a moment?

Mr. SULZER. I yield.

Mr. LEWIS. Does not the gentleman's own bill contain a provision upon that subject?

Mr. SULZER. No. There is nothing in my bill about buying out the express companies. My bill is a general parcel-post measure, pure and simple.

The investigation of express companies by the Interstate Commerce Commission shows that the express tonnage of the country last year amounted to 660,000 tons, of which 34 per cent was

packages weighing under 11 pounds. Think of that. Of all the express business done in the United States last year over 34 per cent was in packages under 11 pounds in weight, and it is on the small packages that the express companies make their largest profits. Give the Government the right to carry exclusively the packages not exceeding 11 pounds in weight and I say it will bring into the Treasury revenue of over \$50,000,000 a year. The post-office officials say between \$35,000,000 and \$50,000,000 a year. Think of that revenue, all of which would go to maintain the Post Office Department.

Let me show further. The weight of these packages was not 11 pounds, but 34 per cent of all the merchandise carried by the express companies last year was of an average weight of 4 pounds per package.

The number of these packages handled by the express companies weighing 11 pounds and under was 100,000,000, weighing 220,000 tons. Turn that immense business over to the Post Office Department at 8 cents a pound and see what a tremendous revenue it is going to bring in, not only enough revenue to maintain the postal transportation system, but profit enough to make a surplus of \$50,000,000 every year.

We have this postal transport service established. We have as good a postal transport service to-day for carrying general parcels as the express companies. This House knows how much money is paid to the railroads every year for carrying the mail. We would have to pay a very little more to carry postal packages. How much money do the express companies pay to the railroads every year for carrying their express packages? We would not have to do that, because we pay the railroads now over \$50,000,000 every year for carrying the mails and we will have to pay them very little, if anything, more for carrying the postal packages. The railroads must run the trains, the mail cars are a part of the service, and the mail cars may as well be utilized to their maximum carrying capacity as to run them daily with only a few mail bags. It will not require many more men to look after the parcels than it now does to look after the mail, so the cost will be but little, if any, more than it is at present. The postal transport machinery is in existence; all that is necessary to do is to provide the merchandise, and it only remains for Congress to do that by standing by the people and not by the express companies.

Give back to the people the old law of 1879 that we had before the express companies took it from the people, and increase the weight from 4 to 11 pounds, at 8 cents a pound, and in one year we will have a general parcel post in this country which will bring in additional revenue over and above its expenses of \$50,000,000, and if there is a friend of the taxpayer here who is not in favor of that I would like to know who he is. Let him stand up and be counted.

But let me go on. This investigation gives an analysis of the freight revenue of a day's business of one express company and shows—I have gone to considerable trouble to get these figures. And they have been checked up by Judge Williams, of Arkansas—shipments, not over 7 pounds in weight, originating and terminating with this company on which graduate charges were assessed. The average weight per piece was 3.62 pounds and the average charge was 36.74 cents per piece. On shipments not over 7 pounds handled by more than one company on which a single graduate charge was assessed the average weight was 3.43 pounds per piece and the average charge was 48.22 cents per piece, and on shipments of similar weight between New York, extending to all points of the country, the average weight per piece was 3.6 and the average charge was 28.39 cents per piece.

These figures show conclusively that the flat rate—mark you, this is not my testimony; it is the testimony before the Interstate Commerce Commissioners; it is the judgment they have formed after spending months in making the investigations of these express companies—these figures, I say, show conclusively that the flat rate of 12 cents a pound, as proposed in the present bill, even taking into consideration that such rates contemplate, evidently, the carriage of packages to points not yet reached by the express service, are entirely too high and that the rate ought to be, as provided in my bill, 8 cents a pound. Of course, 12 cents a pound is too high. A 12-cents-a-pound rate will not hurt the express companies. An 8-cents-a-pound rate will give the Government the business, and that is what I want to do.

It is because I realize the force of these truths so keenly that I am so persistent in urging favorable consideration of my bill for a general parcel post. Its only fault, in my opinion, is its conservatism. What this country now needs, what Congress should give it, is a general parcel post covering all the business of postal transportation, with a maximum weight of 11 pounds, at 8 cents a pound.

It is ridiculous for anybody to say that the Government can not do a general parcel-post business. It is too preposterous for argument. Of course the Government can do it, and can do it a great deal better and a good deal cheaper and more advantageously than the express company. The Government has a contract with the railways by which the railways must carry the mail—the parcel post is mail. The mail now goes for thousands of miles all over the country. What do the mail cars contain? A few sacks of mail; that is all. The mail cars should be utilized to their maximum capacity. That is economy. They ought to be filled with mail—parcels and letters. We are paying the railroads; the mail cars are ours. We ought to utilize them to their maximum capacity and to their utmost efficiency. We are not doing it now. Why are we not doing it? Because the express companies are doing the parcel post business of the Government. You can see how cheaply the Government can do it. We do not need many more employees to do it. All we need is to do our duty and pass the law; that is all we have to do. It is a simple thing. All these governmental questions are simple when you are honest about them and when you want to do right.

There is nothing complicated about a general parcel post. Twenty-three of the great Governments of the world have a general parcel post to-day and it works like a charm in the interests of the people, and every one of the citizens of these 23 great Governments of the world can send a package weighing 11 pounds to any part of the United States for about 8 cents a pound. The people of the United States can not do it. Why? Because the express companies wrote the law that prevents it.

That law has cost the people of this country not hundreds of millions of dollars but billions of dollars. Talk about the profits of the express companies! They have made so much money by reason of that law that if a man owned 1,000 shares of the stock of Adams Express Co. in 1885, and had carried it from that day to this he would be rich to-day beyond the fears of want. At all events he would never have to work any more. Think of that! The express companies have made their profits, their wealth, all out of the people. The question presented to us now is whether we will permit it any longer. I want to stop it. I want to give the Government a chance now. That is why I do not want to complicate this general parcel post with the proposition of buying the express companies and railroads. If the Government buys the express companies, the next thing it will have to do is to buy the railroads. The gentleman from Wisconsin [Mr. BERGER] told the truth about it. But where is the money coming from?

The CHAIRMAN. The time of the gentleman from New York [Mr. SULZER] has expired.

Mr. SULZER. I ask for a few minutes more.

Mr. MOON of Tennessee. I will say to the gentleman from New York that there are so many requests for time from other gentlemen that I can not give him more than a couple of minutes.

Mr. SULZER. Let me have 10 minutes.

Mr. MOON of Tennessee. If I gave the gentleman 10 minutes, I would have to take it from others to whom I have promised time.

Mr. SULZER. Well, five minutes will do.

Mr. MOON of Tennessee. All right; take five minutes.

Mr. SULZER. The people are not asking us to buy out the express companies. The people want the express companies to keep out of their postal business—the Government business of carrying the mail. That is all. They do not want to issue bonds to buy out the express companies for \$30,000,000 or \$300,000,000. Some Members tell us it will only cost about \$30,000,000 to buy the express companies. I say it will cost nearer \$300,000,000. I speak advisedly; make no mistake about that. Let the express companies alone after you pass a law to allow the Government to do its post-office business. I have no desire to start the Government in the express business, and to do it buy out all the express companies at a cost of hundreds of millions of dollars. I want the Government to do its own postal business—the post-office business. That is all.

The express companies do not fool me. I know their methods. But I have no personal grievance against them. I do not want to do them an injury. But I am in Congress representing the people, not the express companies. The people elected me to Congress. I am trying to the best of my ability to honestly represent the people and to promote their welfare. I would rather write a few good constructive laws for the people on the statute books of my country than have the plaudits of all the express companies in America. So much for the express companies.

Now another matter. There comes a cry now and then from here and there from some little country merchant who does not



want a general parcel post established because some agent of the express companies tells him it will injure him and be in the interests of the mail-order houses. The mail-order houses! What mail-order houses in the United States are clamoring for a general parcel post? I know not. Is John Wanamaker? No. Is Macy's? No. I am a friend of John Wanamaker. He is a great man, an honest merchant, and a public-spirited citizen. John Wanamaker is more of a patriot than he is a money-maker. He told me in his great New York store not long ago that he does not do a mail-order business—never did and never will—and very few department stores in the big cities do; yet in the interests of the people he favors a general parcel post.

Some of these little country merchants are unnecessarily alarmed. Why are they scared? Because some agents of the express companies—not doing the thing openly—have started little agencies in Chicago, in New Orleans, in St. Louis, and other cities, and these agencies are busy, day in and day out, sending plate matter and typewritten letters and resolutions to the little country merchant to the effect that if this parcel-post bill becomes a law the mail-order houses in the large cities will get all the business. I have taken the trouble to write to several of these country merchants, and I have told them the truth about the general parcel post, and have told them how it is in their interest, and that if they did not believe what I said to investigate it carefully. They have answered: "Mr. SULZER, we did not understand it before. The typewritten matter we sent you came to us in an envelope, with a request for us to sign it and mail it to a Congressman. We did so. We thought it was to our interest, and so we signed it and sent it to our Congressman; but now we know the truth, and we are in favor of the general parcel post."

I am a friend of the country merchant. I was born in the country and I know the country merchant. I would do nothing to injure him. What will this general parcel-post bill do? I will tell you what it will do. The general parcel post may hurt, to some extent, the express companies. It may hurt, to some extent, the middlemen; but I am not legislating for the welfare of the middlemen or for the good of the express companies. I am legislating for the people—for the consumer—and I know that a general parcel post will bring the producer and the manufacturer and the consumer closer together, and go far to cheapen the cost of the necessities of life; and any bill that will bring the producer and the consumer closer together and cheapen the cost of the necessities of life to the people of America always did and always will have my support. [Loud applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield 30 minutes to my colleague [Mr. SIMS].

Mr. SIMS. Mr. Chairman, in order to settle the parcel-post matter as far as I am concerned, I will begin by saying I am going to vote for the bill of the gentleman from New York [Mr. SULZER] if it is offered as an amendment, because if it is going to do as much good as he represents—and he seems to have the information on which to base his statement—I do not think we ought to let it fail for lack of votes.

I suppose, then, if the postal express provision known as the Goeke bill becomes a law, as it also can be voted for on this bill, we will certainly have ample facilities to do that kind of business.

I do not wish to discuss these measures myself, for the reason that there are other gentlemen who are well prepared to discuss them. I take it the gentleman from Maryland [Mr. LEWIS] will discuss his own measure at length, and I want to assure you that there is nobody in the House better prepared to do it than he is.

I shall confine my remarks entirely to the provision of the bill that is called the good-roads provision. I wish I could so regard that measure as a bill making it imperative to have better roads than there are in some places in this country. The bill proposed as an amendment to this bill is as follows:

That for the purposes of this act certain highways of the several States, and the civil subdivisions thereof, are classified as follows:

Class A shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide composed of shells, vitrified brick, or macadam, graded, crowned, compacted, and maintained in such manner that it shall have continuously a firm, smooth surface, and all other roads having a road track not less than 9 feet wide of a construction equally smooth, firm, durable, and expensive, and continuously kept in proper repair. Class B shall embrace roads of not less than 1 mile in length, upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, well drained, with a road track not less than 9 feet wide, composed of burnt clay, gravel, or a proper combination of sand and clay, sand and gravel, or rock and gravel, constructed and maintained in such manner as to have continuously a firm, smooth surface. Class C shall embrace roads of not less than 1 mile in length upon which no grade shall be steeper than is reasonably and practically necessary in view of the natural topography of the locality, with ample side ditches,

so constructed and crowned as to shed water quickly into the side ditches, continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means, so that it shall be reasonably passable for wheeled vehicles at all times. That whenever the United States shall use any highway of any State, or civil subdivision thereof, which falls within classes A, B, or C, for the purpose of transporting rural mail, compensation for such use shall be made at the rate of \$25 per annum per mile for highways of class A, \$20 per annum per mile for highways of class B, and \$15 per annum per mile for highways of class C. The United States shall not pay any compensation or toll for such use of such highways other than that provided for in this section, and shall pay no compensation whatever for the use of any highway not falling within classes A, B, or C. That any question arising as to the proper classification of any road used for transporting rural mail shall be determined by the Secretary of Agriculture. That the compensation herein provided for shall be paid at the end of each fiscal year by the Treasurer of the United States upon warrants drawn upon him by the Postmaster General to the officers entitled to the custody of the funds of the respective highways entitled to compensation under this act.

The provisions of this paragraph shall go into effect on the 1st day of July, 1913.

The bill proposes that we pay \$25 a mile for roads falling within class A, as an annual rental for the use of those roads for the rural mail service that may be performed on them, or so much of them as is so used.

I want to know if that \$25 a mile for those roads will, by reason of its payment, increase the Federal function performed thereon? Will there be an increased rural mail service on those roads by reason of this \$25 a year paid as rent? Will the salaries of the rural carriers be reduced so as to save the expenses incurred by paying this rent? Will the length of the route be increased by reason of paying \$25 a year rent on that kind of a road?

It is said somewhere on very high authority that the love of money is the root of all evil—not money, but the love of it.

The States are sovereign to the extent that they have not surrendered sovereignty to the General Government. The General Government is a government of limited powers, and can do nothing that is not authorized in the Constitution. I have never yet believed that it was the intention of the framers of the Constitution that Federal taxes should be collected for any other purpose than to discharge Federal obligations—obligations that are national in character. Now, I want to know why we should make a distinction and pay for roads of class B \$20 a mile. Does the rural carrier over such a road perform less service to the people than the one who goes over class A, a \$25 a mile per annum road? Then, coming down to class C, I want to ask you if the rural carrier on a road of class C will not do just as much Federal business as a rural carrier who goes over a road receiving the \$25 a mile rent?

Now, call it what we please and think of it as we may, really on these roads of the various classes now in existence we do not, by paying this rent, additionally facilitate nor add to any existing rural service. Without paying any rent on roads of this kind, the functions of the rural mail carrier will be fully discharged. Is not that true? And if we had the parcel post or the parcel express mentioned in the rule making it in order to be offered as an amendment to the Post Office appropriation bill, the service required by this additional burden on the rural carrier can be fully discharged on any of the classes mentioned. Therefore it is not necessary, to perform the Federal function of carrying the mails or parcels by the rural carrier, that we should pay rent on the classes of roads provided in the proposed amendment.

My friends, the only authority we have to do anything on this subject under the Constitution is the following: In defining the powers of Congress, one is "to establish post offices and post roads." What does that word "establish" mean? I am a Democrat. I think I am at least one of the "57 varieties," and I do not wear the Constitution as a hobble skirt to fall down in every time I turn around or try to walk; but having taken an oath of office to support the Constitution, I do not want to undertake to do something for which I can find no constitutional warrant. I understand the word "establish" has been construed by the courts to mean the power to construct and maintain. Under that section we collect taxes and appropriate them to build a post office.

What is a post office? It is a building for the purpose of collecting and distributing the mail. Is not that all of it? The function of performing the mail service being a Federal function, the post office is an incident necessary to it. What is a rural carrier? He is in effect a postmaster. He discharges the functions in part of a postmaster. A postmaster stays in the post-office building and receives and distributes the mail. The rural carrier gets on a horse or a mule or into a vehicle, takes the mail out over the designated rural route, and distributes and collects. The mail car that goes over the railroad is a traveling post office. The mail clerk therein is performing the functions of a postmaster or a clerk in a stationary post office.

We must determine what a thing is from its use. The duties of a rural carrier and a mail clerk and of a city carrier are along the lines of receiving, collecting, and distributing the mail. These acts of service are all Federal and not State.

Now, I think we have the power to appropriate any money necessary to the complete discharge of this Federal function of collecting and distributing the mail. If we have the power and authority to build a post office, we have the power and authority to use the public money in any other way that is necessary to facilitate the distribution and collection of the mail.

The function of the rural carrier is to go over a designated route and collect and distribute the mail. If the route is impassible, I think this constitutional provision authorizing us to appropriate money to establish post roads authorizes us to make make a building possible to perform the service that is required to be performed in a building.

Therefore the Constitution is not in my way, because I believe we have the power under that clause of the Constitution to absolutely build a road from start to finish without any aid whatever from the locality or the people who patronize that route.

Then, if we have the right constitutionally to own directly and absolutely we have the right to lease; we have the power to rent, and to pay out money for it.

But that is all for the purpose of enabling the Government to do something that it could not do without the expenditure. We build the post office, or rent it, to enable the postmaster to perform the functions that could not be performed without it. We hire the rural carrier to go out and receive and distribute the mail, because we could not do it otherwise. It is the same way with the city carrier, with the railway mail clerk—all of them perform functions that inhere in the service. So I think we have the constitutional power to rent, if it is necessary, in order to perform the service.

Now, I want to ask my friends who are in favor of this bill, if it does not pass, Is there 1 mile of road in the United States within these classifications on which the service is now performed that it will cease to be performed or be performed less efficiently?

Now, then, do you want as economical Democrats to go home to your people and say to them that we paid \$25 a mile for the rent of a road that we did not need and did not have to have and which added nothing in the way of discharging a Federal duty? Then why is it done? Why, Massachusetts, according to the latest report I have, has 49 per cent of her roads that would come within these three classes. Is there any doubt that Massachusetts would claim the money on all these roads if this bill passes?

Mr. HAMLIN. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. HAMLIN. Has the gentleman any public buildings erected in his district since he has been a Member of Congress?

Mr. SIMS. One.

Mr. HAMLIN. Was it erected where the Government was not able to obtain any other building?

Mr. SIMS. No.

Mr. HAMLIN. Then they could have done without the appropriation.

Mr. SIMS. Yes; the service would have gone on. They could have rented an old building, but the business had increased, and it got to where it was not sufficient and there was no building in town that could be rented sufficiently large to do the business. This was in Paris, Tenn. I introduced and voted for the bill, and I would vote for another just like it.

Mr. BYRNES of South Carolina. Does the gentleman from Tennessee oppose this bill because of economy, because he does not think that we ought to pay out the money?

Mr. SIMS. Now, if the gentleman from South Carolina will give me the opportunity I will tell him just exactly why I oppose it unamended. Now, I want to ask you, Can we go to the country and say that we were wise in voting money out of the Treasury that goes in through Federal taxes if it is not necessary to perform any Federal duty? I know what is claimed for this proposed amendment. It is claimed to be to encourage the States and counties and municipalities to build roads or to so improve them as that they will fall within one of the rental classes; to put money enough on roads to sufficiently improve them so that if they happen to be used by rural carriers or the star-route carriers they will get this rent. That is an indirect way of bringing about road building for State purposes wholly within the State by Federal taxation. It does not matter what you call it.

Let me ask you—take a road that is already built. You are going to get \$25 per mile per year for it for all time to come. You are not simply building a road and then stopping the ex-

pense except for maintenance after it is completed, as they do with a post office; but this is \$25 a mile, and it goes on as long as the Government goes on or until Congress repeals the law. What is the object of it, my friends? It is to get those States that have a high percentage of improved roads to vote for this bill. Is not that really the practical object and purpose of it?

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. LEVER. I would like to ask the gentleman if he can differentiate between the idea of this bill and the fact that we are now paying to the railroad companies a rent for the use of their property and also to private individuals for the use of the pneumatic-tube service in the city of Chicago, as pointed out by my friend from Illinois, Mr. MADDEN?

Mr. SIMS. Why, in the easiest way in the world. We are not paying a railroad company to carry any mail if there is no mail to carry on that road. We are not paying a railroad any more than it asks, are we? We are not paying a railroad a dollar except to perform an equivalent Government service. Is that not true?

Mr. LEVER. We are paying the railroad company so much as the contract calls for which was entered into between the two parties—the Government on the one side and the railroad on the other.

Mr. SIMS. Is not the object and purpose of that contract that the railroad company shall render a Federal service equivalent to the Federal pay that is received?

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. SIMS. If the gentleman from South Carolina will give me more time; I have only 30 minutes.

Mr. BYRNES of South Carolina. Just answer this one question.

Mr. SIMS. Very well.

Mr. BYRNES of South Carolina. The gentleman makes a distinction that nobody is asking for it. Are not the people of the country now asking for it through their Representatives, and will the gentleman tell me frankly whether he is in favor of the Government aiding in the building of roads—yes or no—in any form?

Mr. SIMS. Oh, I can answer the question without using only two words, and I will answer it before I get through, and then I will give the gentleman something to vote for.

Mr. BYRNES of South Carolina. Will the gentleman answer me shortly whether he is in favor of it or not?

Mr. SIMS. Oh, I know what that means. I will ask the gentleman if he is in favor of it.

Mr. BYRNES of South Carolina. Will the gentleman tell me whether he is in favor of it and whether he has told his people at home that he is in favor of it?

Mr. SIMS. Oh, I will tell the gentleman my people know as much about my position as does the gentleman.

Mr. COX of Ohio. Mr. Chairman, I would like to ask the gentleman whether the framers of the Constitution contemplated that the Federal Government should build roads or that the State government should build the roads.

Mr. SIMS. I do not know what the framers of the Constitution meant when they made the provision about establishing and maintaining post roads. I do not know whether that meant that the Government should carry mail over certain designated lines or that the Congress should physically construct a post road.

Mr. COX of Ohio. Did it not mean that it was purely a Federal policy and should be borne by Federal expense?

Mr. SIMS. Of course, I have already said that the carrying of the mail and the delivery of it is wholly a Federal function, and that we have a constitutional power to provide for it fully and completely.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. SIMS. It is impossible for me to yield to everybody and complete my remarks.

Mr. HOWARD. Has not this Congress construed the words "establish post offices and post roads," as far as the post office is concerned, to mean the building of them?

Mr. SIMS. I said that a few moments ago, and the gentleman would know that if he had been listening to me—not the Congress, but the courts. I have said we can build these roads, and that we can rent them.

Mr. HAMLIN. Mr. Chairman, right on that point I wish to ask the gentleman a question. I usually find myself in accord with the gentleman from Tennessee.

If the Government of this country had the right to build these roads, that would carry with it the right to control them, would it not?



Mr. SIMS. So far as the Federal use is concerned, and no farther.

Mr. HAMLIN. Does not the gentleman prefer if we give aid toward the building of these roads we should do it in such a way as to leave the control absolutely in the States rather than in the Federal Government?

Mr. SIMS. I will say—

Mr. HAMLIN. And would not that plan be a better plan than for the Government to build the roads?

Mr. SIMS. Now, the bill on its face does not make it conditional to use one dollar of this money in the improvement of roads, either in paying for constructing or maintaining them. Now let us see. Suppose you have got a class B road. Five dollars a mile is the only difference in rent between a class A and a class B road. Would that cause anybody in charge of that road to spend \$500 or \$1,000 per mile additional in order to get \$5 more per mile in rents? Just drop down to class B, where you get \$20, then drop to class C and he will still get \$15. The difference in the amount of rent provided does not cover the difference in costs of the roads and will not be of any practical inducement if the road is of class B to build it up to class A, or from class C to class B.

Now, how are you encouraging the improvement of roads? In the first place, you do not need any improvement in classes A, B, and C, so far as use by the Federal Government is concerned. Now, I have assumed that we have the power under cerned. I have assumed that we have the power under the Constitution to build roads necessary to the performance of Federal requirements, or to own them, to operate and to maintain them. Now, I want to know what roads need improvement most, in order to expedite the Federal service. Not one of the classes here mentioned needs any improvement whatever that is necessary to its use for Federal purposes. There is not a State in the Union with a mile of road coming in any of these classes that the people have petitioned this Congress to pay rent for their use. Now, it seems to me, in view of the fact that a parcel-post service of some sort will soon be established, or a parcel-express service will be established, and that the roads provided for in this bill do not need any additional improvement in order to perform such service and knowing full well that there are hundreds of thousands of miles of roads that are being used by rural carriers that do need improvement and are located in localities where the people, in justice to themselves and the other burdens they have to bear, are not able to build class C, class A, or class B roads, and therefore will be deprived of any benefit under this bill. Now, there is no use in being afraid of Federal interference. It seems to me that the Federal Treasury needs to be in fear of State interference instead of the States being afraid of Federal interference. Wherever the dollar leads, there is a way; and so New England and some of our beloved Members of Congress from the South and East decided they wanted to improve the navigation of the Atlantic Ocean by buying the tops of the White Mountains and others to promote a slow descent of the rainfall. [Laughter.] Now, why not have the courage of your desires and provide straight out that any road used to carry rural mail is hereby declared a post road, and then authorize the Postmaster General, by and with the cooperation and consent of the State and local authorities, to improve that road up to the standard of class C without any reference to what its costs per mile?

Now, in my own beloved State under the class of sand-clay roads, which are without gravel or macadam, in Green County it cost \$1,250 per mile to build. In Madison County, in my district, it cost \$1,500 a mile to build it, and in Sumner County, Judge HULL's district, it cost \$400 a mile to build. Now, with \$15 a mile rent it is \$15 on a \$1,500 investment in Madison County and \$15 on a \$400 investment in Sumner County. You can not fairly and justly reimburse the counties, States, and municipalities for roads that they have already built unless you put the rent on a percentage basis of cost. Now look at macadam roads. A macadam road in Madison County, in my district—I am reading from a bulletin of mileage and cost of public roads in the United States, 1909, by J. A. Pennypacker, chief of road management, January 1, 1911—the cost of macadam roads in Madison County, in my district, was \$5,100 a mile on the average. The cost of macadam roads in Sumner County, in Judge HULL's district, was \$700 a mile. If you are going to reimburse the people of Madison County justly and fairly, you must reimburse them to the same extent on the investment that you do Sumner County.

Mr. LEVER. The proposition is not to reimburse, but rent—for use of the property.

Mr. SIMS. Show me any request from anybody for pay for the rural carrier going over these roads.

Mr. LEVER. The committee that had charge of this matter can show 40 Members of Congress, representing that many constituencies.

Mr. SIMS. Look under the head of gravel roads of Pennsylvania and look at the difference in costs. In the Berks Township district the gravel roads cost \$400 a mile; in Muhlenberg Township the gravel roads cost \$3,000 a mile. There is no uniformity in cost; no uniformity in outlay whatever. Here is a flat rate of return, or bounty, or subsidy, or rent, whatever you call it.

Mr. HAMLIN. Let me ask the gentleman on that very point. Do you make any distinction as to the railroads that take into consideration the cost of one road as compared with the cost of another?

Mr. SIMS. Not a bit.

Mr. HAMLIN. If you do not in railroad service, why do you in other service?

Mr. SIMS. Because we do not pay any more for railroad service than is necessary to get the service performed.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. Sims] has expired.

Mr. SIMS. I want to ask the gentleman from Tennessee [Mr. Moon] for additional time. He knows that I have been interrupted very much.

Mr. MOON of Tennessee. I am sorry you are interrupted by so many gentlemen. I will give you five minutes more.

Mr. SIMS. Give me 10.

Mr. MOON of Tennessee. Well, I will give you 10.

Mr. SIMS. Now, I propose the following amendment to what is carried in the bill. It may not on its own merits be a wise amendment. I certainly think it is more defensible and wiser than the provisions in the bill, and I understand that the bill can be amended. As I see it the whole effect of this is to get money out of the Treasury of the United States for local State purposes.

I will read my proposed amendment:

That for the purposes of this act all highways of the several States and the civil subdivisions thereof, or any parts of same used by the United States for the purpose of transporting rural mail not hereinbefore mentioned and described, are hereby declared to be post roads.

That the Postmaster General under such rules and regulations as may be provided by him, by and with the cooperation and consent of the State and county or other local authorities having charge of the construction, operation, and maintenance of such roads shall, by contract or otherwise, cause all such roads or parts of roads not so improved by said States or local authorities, to be provided with ample side ditches so constructed and crowned as to shed water quickly into the side ditches, and to be continuously kept well compacted and with a firm, smooth surface by dragging or other adequate means.

That for the purpose of carrying out this provision of this act the sum of \$10,000,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Now, this is a direct authorization to improve roads that need it. That brings or authorizes the bringing up of every road traveled and used for rural mail to the standard of class C in this bill. Are you opposed to it?

Mr. BARTLETT. That is a pretty good buncombe amendment.

Mr. SIMS. It is a pretty good buncombe amendment, says the gentleman from Georgia. Then I know it is in a class with all other provisions of the bill, because, if it is buncombe, they are all buncombe, as the amendment I proposed is really needed, while none of the others are needed in order to have the required service performed.

Mr. BARTLETT. That is right.

Mr. SIMS. Class C is the lowest class provided for. Why do you Members who live in rural districts want the carriers in your districts to plod through mud and ice because the counties in which their routes are situated are not able to bring their roads up to class C? He carries the mail on schedule time, and it costs him more money on account of necessary equipment on account of the horses he kills.

Why not give this man, who has not a mile of road on his route of class A, B, or C, an improved road? Why pay rent to those who do not ask it and which does not result in benefiting the road on which the rent is paid, and let these other roads go without any improvement whatever because the localities are not able to do it?

Now, take a small county like Perry, in my own district, with 8,015 people, with 400 miles of road to keep up. There are more miles per capita and per dollar of taxable property five times over than in some of the other counties in my district, and yet they have to have this Federal service performed, and the rural carriers in that small county are as much entitled to Federal money to improve the roads over which they labor as the man who travels on the automobile Appian Ways in the Eastern States. You may challenge the wisdom of either of

these propositions if you want to do so, but one is necessary to the service to be performed by the rural carriers while the other is not.

Mr. COX of Ohio. Will not the gentleman's amendment give the discretionary power to the Postmaster General?

Mr. SIMS. It authorizes and directs him to improve any roads that—

Mr. COX of Ohio. Any road which in his judgment—

Mr. SIMS. You have got to have somebody's judgment. It authorizes and directs him to improve any road, which, in his judgment, falls below class C, by bringing it up to class C.

Mr. COX of Ohio. Then is it not apt to become a sort of campaign fund, if it is subject entirely to his discretion?

Mr. SIMS. Oh, if that is what you are afraid of, it might be charged that \$15 or \$20 or \$25 per mile rent can also be used in that way.

Now, further, the bill you are proposing here does not carry one dime of appropriation to put it into execution. The Committee on Appropriations has got to appropriate to pay your rent bill after the amount of rent is fixed. I will not say they will not do it. But why not deal with the people straight and square?

Mr. BARTLETT. Where will you get the money?

Mr. SIMS. Appropriate it out of the Treasury.

Mr. BYRNS of Tennessee. I will say to the gentleman that this bill does not go into effect until July 1, 1913.

Mr. SIMS. Then I will be ahead of you. By my amendment I will have the roads made ready before the law goes into effect.

Mr. COX of Ohio. There will be plenty of money in the Treasury by July 1, 1913.

Mr. SIMS. I will ask the gentleman how many rural mail boxes are there in the district of the gentleman from South Carolina?

Mr. LEVER. I do not know.

Mr. SIMS. There are thousands of them. Every one of them is under Federal control. It is made a Federal offense to tear down one of those boxes—an offense punishable in the Federal courts. Notwithstanding this fact, nobody refuses rural service. This improvement is authorized by the Postmaster General, by and with the cooperation and consent of the local State authorities, for the improvement of the roads. It does not per se give the Government control of it. We will have to pass supplementary legislation in order to do that. If we do, we will do what we had to do with reference to the Rural Free Delivery Service. If anyone tears down a rural mail box, he is subject to indictment, although the Government does not own the box.

Mr. RUBEY. Is the gentleman sincere in advocating the amendment he offers?

Mr. SIMS. I will vote for it and do all I can to put it in the bill.

Mr. RUBEY. Has not the gentleman said that he would shoot the bill full of holes by amendments?

Mr. SIMS. No; shoot it full of holes by arguments.

Mr. RUBEY. The gentleman said "amendments."

Mr. SIMS. Oh, somebody put that into my mouth. Nobody said that seriously.

Mr. RUBEY. Then it was done jocularly.

Mr. SIMS. Here is a proposition that is workable and is not dependent on anybody's classification. We will get back immediately the money spent on the roads. Why object to it? Why pay these automobile Appian Ways \$25 a mile as rent, while refusing to accept my amendment?

Mr. RUBEY. I would like to ask the gentleman one more question. The gentleman is in favor, I understand, of the Government aiding in the building of public roads?

Mr. SIMS. Not as a general proposition, only as to post roads.

Mr. RUBEY. And if this amendment which the gentleman has offered fails, eventually he will be found not voting with us in the passage of this pending bill?

Mr. SIMS. How does the gentleman know that?

Mr. RUBEY. I ask the gentleman if that is not so?

Mr. SIMS. Well, I cross bridges only when I come to them. [Laughter.] That bridge may never be reached. I say, as far as I am able to understand the law, we have no power to levy Federal taxes and pay them out for roads except when those roads are post roads, and rural routes are the only post roads we have. Therefore, I am in favor of voting for an amendment to improve those roads—all that is necessary in the performance of the Federal service now performed on them, or any service authorized to be performed on them, by the establishment of a parcel post or parcel express.

I have discussed the same proposition for six years in my district, and if anybody wants to know anything about my position there, all he has to do is to read my speeches. I have always opposed the half-and-half business. I have always opposed the Federal construction of roads without a Federal purpose behind it, without a Federal object in view. I may be

wrong. This amendment that I have proposed may be unwise, but I say it is constitutional, and it has the merit of doing that which it professes to do. It builds roads instead of renting roads already built. The pending bill forces the rural carrier in counties not able to build good roads to plod along in the rain and snow and get no more pay than before.

Now, Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has two minutes left.

Mr. SIMS. Now, I do not know that I can add anything to what I have said in two minutes, but—

Mr. HAMLIN. In that case, I would like to ask the gentleman a question. Does not the gentleman think that if this bill became a law it would have the effect of encouraging people in his district, who have no good roads, to build good roads?

Mr. SIMS. I will tell my friend that I went down to the bureau of the Department of Agriculture in charge of public roads, and I asked the engineers what it would cost in parts of my district, where it is hill, hollow, and valley, the same as in east Tennessee, to build roads of class C, as provided in this bill, and I was told that it would cost from \$1,000 to \$2,000 a mile. My people who have not got these roads are not able to build them at that price, bonded or otherwise; and \$15 a mile is no inducement to expend \$2,000 a mile.

Now, my friends, I am sincere about this. I am not opposed to giving what it is within our constitutional power to give, but I see no other way to do it. [Applause.]

Mr. BARTLETT. The gentleman can add about \$20,000,000 to his provision for expense, and then not cover the necessities of the case.

Mr. SIMS. Undoubtedly, but it will not all arise in any one year.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Missouri [Mr. SHACKLEFORD] 30 minutes.

[Mr. SHACKLEFORD addressed the committee. See Appendix.]

Mr. MOON of Tennessee. I yield to the gentleman from Illinois [Mr. BUCHANAN] five minutes.

Mr. BUCHANAN. Mr. Chairman, as part of my remarks, I desire to have inserted in the RECORD the statement made by Mr. Oscar F. Nelson, president of the National Federation of Post Office Clerks, of Chicago, Ill., in the hearings before subcommittee No. 1 of the Committee on the Post Office and Post Roads of this House.

The CHAIRMAN. If there is no objection, that permission will be granted.

There was no objection.

The statement of Mr. Nelson, referred to, is as follows:

THE NEED FOR LEGISLATION THAT WILL REGULATE OUR HOURS OF LABOR.

For years the post-office clerks have been petitioning the department to recommend to this committee that legislation be enacted that would regulate our hours of labor and define just how many hours shall constitute a day's work. In the past and at present there is no legislation on the subject, and while it is generally understood and taken for granted by the public that the Government employees are not required to work more than eight hours a day, and that Congress has by law recognized that eight hours is a just standard for a day's work and has provided that the employees of the Government shall not be required to work more than eight hours to earn a day's pay, yet both the public and seemingly Congress have overlooked the fact that there is nothing on the statute books that limits or defines the number of hours that shall constitute a day's work for post-office clerks.

We are the only Government employees, absolutely the only exceptions, as far as I have been able to learn, that are not protected by legislation in that regard. We can be required, and we have in the past and at present are required, to work 9, 10, 11 and more hours a day. The department or any postmaster can, by reason of the fact that we are paid by the year, and there being no law that defines or regulates our hours of labor, work us 24 hours each day if that was physically possible.

No recommendation has ever been made by the department in response to our petitions for legislation regulating our hours of labor. Why? Because every department head in the past has been anxious to economize somewhere in the expenditures, and very naturally they have tried to economize at the point of least resistance, and that point of least resistance has been the employee, especially the clerks. No one ever sees the clerks; very few of the public have the slightest idea of a post-office clerk's duties. The clerk does not come in contact with the public except the few at the stamp-selling and money-order windows. The public not knowing of the duties that the clerks perform, and not coming in touch with them, public sentiment in behalf of shorter hours for the clerks is not readily aroused, and the clerks being prohibited from giving information to the public press and from petitioning Congress, have been and are the point of least resistance for the department to enforce so-called economies upon by working them long hours without extra compensation. The Postmasters General of the future will just as naturally seek to economize at the point of least resistance unless you gentlemen grant us an eight-hour day.

Congress has in the past declared its belief "that eight hours a day is long enough for any man or woman to toil in order to earn a day's wage," and Congress has believed that the Government should be a model employer, should set a reasonable example for other employers of labor to follow, as shown by the fact that it has enacted laws providing that eight hours shall constitute a day's work for Government employees. That the postal clerks have been left outside the pale of such just action has been due to the fact that the general eight-hour law for Government employees has been interpreted to exclude us, because it is ruled that we are neither laborers nor mechanics. "We are officials of the Government," we have been told, and therefore



not amenable under the act that provides that laborers and mechanics shall not work more than eight hours a day. We have said, and we do now say, that the classification of us as "officials" does not compensate us for the long hours worked; neither does it restore our shattered health nor restore those whose lives have been shortened because of the long hours of duty imposed upon them while in the service. We labor; yes, indeed, we labor; and we are as skilled in our line of work as the most skilled mechanic found anywhere.

The wage earners of the Nation noted with satisfaction and appreciation the action of the House only a few weeks ago when you passed the "Hughes bill" providing "that contractors doing Government work shall not be permitted to work their employees on such work more than eight hours for a day's pay." That was a declaration by this present Congress as to its belief in the justice and benefits of the eight-hour-day standard.

I shall endeavor to explain as briefly as I can the nature of a postal clerk's work and the conditions under which he performs the same.

In the large first-class offices some clerks are assigned to one class of work exclusively, such as selling stamps, issuing money orders, or distributing mail. The great majority of clerks in the large offices are assigned to distributing work. In the smaller offices and the substations in the large cities a clerk sells stamps, issues money orders, and distributes mail. Imagine the responsibility and the strain that a clerk, who is counting off sheets of stamps and making change as rapidly as he can work, handling, as many of them do, thousands of dollars a day. One mistake in counting and handing out sheets of 10-cent stamps costs the clerk, in way of loss, a sum equal to three days' pay. Any mistake he makes in handing out change or any counterfeit money he takes in is his loss. His maximum salary is, as you know, \$100 per month, and he can be worked as many hours as the department pleases. Should not he be entitled to an eight-hour day? The money-order clerk handles great sums of money, must know all the rules and regulations in connection with the issuance of money orders, must know the exchange value of money between this and foreign countries. His efficiency is reduced when kept at work under such responsibility and strain over eight hours a day.

But the real work of the post-office clerks is the distributing of the mail. All clerks, even the money-order and stamp clerks, are schooled and at times perform distributing work. The distributing of the mails is the brain work of the postal service. I do not know how many of you gentlemen of this committee have been initiated into the mysteries of how a letter finds its way from one part of the country to the other or from here to the foreign countries, but I do know that the average public have not the slightest idea of how their mail is handled any more than they know that a letter carrier collects it from the corner letter box and a letter carrier delivers it, and they know the letter is transported on a train or a ship, as the case may be; they do not know how much work is involved in the dispatching of that letter along the shortest route and by the next leaving connecting train.

The amount of study required of a distributor—and most all of the clerks are distributors—can best be understood by a recital of the knowledge necessary to a clerk employed in distributing outgoing mail in the office and that of a clerk employed in distributing mail in the city delivery service. On outgoing mail a clerk is assigned to distribute one or more States, depending upon the size of the State. He must then learn and memorize the name of every post office in that or those States; he must memorize the name of every railroad that goes into each town and must know what post offices are served through other towns, because they happen to be located away from a town or railroad; he must memorize and know what train to dispatch the mail over to a certain town at a certain hour—for instance, at 8 a. m. the mail for New York is dispatched via one road and at 10 a. m. it is dispatched over another road; that means that a clerk is required to know the train schedules of every road that serves the State or States that he distributes for; he must know the connections between the various trains. In addition to his distributing scheme, he must have a thorough knowledge of the classification of all mail matter and the rules and regulations governing the same. All his study and the correction and keeping up on all changes in names of towns, discontinued offices, and train schedules that must be kept up with is done at home and on his own time.

The clerk distributing city mail is required to memorize the names of all streets, public and office buildings, business firms, and is expected to know the home address of individuals that receive any amount of mail-matter. This requires a vast amount of study in that he must know just how many numbers of a street are served through a substation and how many numbers on this street and the one side of another street are delivered by a certain carrier. The memorizing of numerals and streets is a monotonous and dry study, as is that of a State distributor. It is estimated that a clerk in studying the average scheme memorizes 6,000 separate and distinct facts, and it is also admitted by those who have experienced both that the average clerk does more studying and of a more difficult and disinteresting nature than does the average professional man in mastering and keeping up knowledge of his profession, whether it be medicine, law, or dentistry.

The time given to this study by the clerks at home is never taken into consideration by the department in estimating hours of work. Many clerks have become unbalanced of mind and committed to asylums because of the constant study required.

I respectfully ask in all fairness that you give consideration to the study required of the clerks when passing judgment as to whether we are not entitled to an eight-hour day.

The department undoubtedly is in possession of figures which will show that about one-half of the clerical force of the post offices are employed at night; some of these not all night, but on tours that extend after 8 p. m. In the large cities there are many who report for duty at midnight and work until 9 a. m. The work of a distributor is performed standing up, and as his dispatch of letters and all matter must be absolutely accurate he is not only working under a physical but as well a severe mental strain.

The post-office clerk is a most skilled mechanic doing laborious work. When it is considered that about half of the clerks are deprived from participation of social life by reason of their being employed at night, and that in addition to the severe strain of working the unnatural hours of night they can not always get any rest or sleep during the day because of the noise and activity around them at home, and this is especially true of the clerks in cities like New York, Chicago, Philadelphia, and other large cities, where cost of living is such that the clerk's average salary of \$80 a month will not permit him to live outside of the congested districts, he must get the cheapest kind of rent; when consideration is given to such facts, gentlemen, I can not see or understand that there is any argument that can be advanced by the department or anyone else in opposition to the post-office clerks being granted what is now enjoyed by all other Federal employees, an eight-hour day.

We contend that every clerk employed at night should be on a six-hour schedule. The medical profession and all others who have given study to the effect of night work agree that six hours' night work is equivalent to eight hours' day work. We believe that if you gentlemen will report the Reilly bill providing for an eight-hour day favorably and support it on the floor of the House and it becomes a law that we will be able in course of time to convince the department that much work is being done at night now that could be done just as well during the day, with a saving of light expense and with more efficiency. We believe that merchandise and unimportant circular matter, such as catalogues and the like, could well be left over to be distributed the next day and a larger force be employed on day work in lieu of night duty. Freight departments of all railroads will not receive any freight after 6 o'clock at night; there is no reason and no demand that clerks be employed at night to work on matter that is unimportant, such as that mentioned.

The department argues that an eight-hour day for post-office clerks is not practicable, yet it contends that it is working the clerks on a practical eight-hour schedule. The department cites as a reason for opposition to an eight-hour day that "there is a wide fluctuation in the amount of mail handled at various periods." It is true that there is an abnormal amount of mail handled at various periods, such as the holiday season and at times when large mail-order concerns flood the mails with catalogues and circulars, but these fluctuations occur at regular seasons. During the holiday season there is always a rush of post office, as in every express company and business house, a rush of work. Overtime compensation is always paid by private concerns. The other fluctuations caused by circulars and catalogues can be very readily handled without the necessity of overtime pay by proper administration on the part of the supervisory force and by keeping in touch with the heavy mailers and inducing them to send in their matter gradually as they get it ready for mailing.

The department has never made use of the special provision contained in the classification act of March 2, 1907, which provides "that auxiliary employees may be employed, to be paid at the rate of 30 cents an hour and for at least two hours a day." In substance that is the provision contained in that act. If the department would see fit to utilize the authority granted by that act, it would not only help in solving the substitute problem, but it would solve the difficulty that the department contends confronts it by reason of not having a trained force to call in as reserves during the extraordinary heavy mailing periods. Then again the First Assistant Postmaster General states as another objection to the enactment of legislation such as the Reilly bill "that the proposal to pay clerks and carriers for overtime under the conditions that obtain in the postal service would undoubtedly prove exceedingly wasteful. Among the 60,000 clerks and carriers in the 2,351 first and second class offices there are many who would find in this opportunity to earn additional compensation such inducement to loiter and waste time that the additional cost of the service would be very large."

Dr. Grandfield by that statement reflects not only on the loyalty, yes, the honesty, of the clerical and carrier force—for he who would deliberately steal time in order to earn additional compensation is dishonest—but he reflects on the ability of his own supervisory force. Certainly if a competent supervisory force is in charge they will as their first duty see to it that any clerk or carrier who is not competent and willing to do a fair day's work is not retained.

That statement in opposition to legislation as embodied in Congressman REILLY'S bill demonstrates how futile are the efforts of the department to find a substantial argument with which to combat the clerks' reasonable request for an eight-hour day.

Admitting for argument's sake that the department could not find any other way out of it but pay for the overtime work when the mail fluctuates—certainly the department can not contend that these abnormal periods come very often, because if that was the case the department is admitting that we are working over eight hours a day now very often, and they deny that.

The sum and substance of the situation is that the department would rather that they have the authority to work us an unlimited amount of hours than employ the force necessary to efficient service or pay us for overtime. That we are not desirous of working overtime is best evidenced by the fact we are not asking time and a half or double time for overtime work. We would rather have a law that would prohibit over eight hours' work a day, if such a law were constitutional or did not interfere with the interests of the service.

All that the post-office clerks request that you gentlemen of this committee and the other Members of Congress do before passing judgment as to whether or not we are entitled to an eight-hour day is to ask yourselves what logical reason can be advanced as to why the post-office clerks are not entitled to the same consideration on the question of hours as the other public employees in the Federal, State, and municipal service, as well as the many who enjoy the eight-hour day in private employ. It may be said that the postal service is different, but if it is, in what way? Is the work less arduous? Hardly. Is the compensation that we receive for service rendered and for dedicating our lives to it and accepting a very limited future such that it could be said that we are receiving a bonus for long hours and for night work and for study done at home on our own time? Hardly. We receive less than the employees of any other department in the way of compensation. If the service is such that occasionally it might be necessary to work us overtime, why should the department not pay for it?

The public expect prompt service from the Post Office Department, and if it is true that the cost of overtime would be large, is not that an admission that the force is inadequate and that there is a delay in service?

As a side remark, I want to mention the fact that in the spring of 1910, before I was removed from the postal service, I was employed in the city delivery division of the Chicago office on the day set, and for the want of about 25 additional clerks in the city division, mail that was being transported into Chicago on fast-mail trains and at enormous expense to the Government and which should have been worked up and delivered on the first mail delivery in the loop district was not worked up until noontime for weeks and weeks in order to economize to the extent of the cost of about 25 additional clerks, the Government paying a bonus for fast special service by the railroads to get that mail into the city of Chicago at such an hour that it could be worked up and distributed and delivered to the business men on the first delivery.

It has been demonstrated time and time again that an employee working a reasonable number of hours each day under decent conditions can and does accomplish more within the eight hours and produces a better class of work than the worker who toils an unreasonable number of hours and has not sufficient time to recuperate and keep himself or herself in good physical condition.

I can say authoritatively that the enactment of such provisions as are contained in the Reilly bill, and which will grant us justice, an

eight-hour day, will not increase the cost of clerical hire to any noteworthy extent. The trouble has been, and is now, the cause of the department's opposition—that they believe the working of the clerks long hours has effected economy, and they desire to continue to have the clerks as the source of economy. But in reality long hours has not been economical to the department; they have not on the whole gotten any more work from the clerks. Enact the Reilly bill and it will compel the department to get busy on a plan of schedules and arrangements that will permit of the clerks handling the mail within the eight hours. They have never had to do it, and therefore no great effort has been made along that line. It will cause the supervisory officials to see to it that they get in touch with the heavy mailers in their town or city and arrange to have the mail sent in as it is made ready for mailing, and then there will not be tons of circulars dumped in the office at one time and without notice or possibility to handle it efficiently and speedily. It will cause them to have a trained auxiliary force to meet any emergency that is not avoidable. The clerks under an eight-hour schedule will work with more vim and vigor and a greater degree of accuracy than they can possibly do now when they are required to work a long stretch of hours, because the supervisory force do not take the trouble to arrange avoidable conditions.

Gentlemen of the committee, I plead with you that you give this consideration with the thought in mind that you want to do justice to the clerks and the service. If you do, I am more than sure that you will report the Reilly bill out, with your recommendation that it do pass, at the same time that you report out the appropriation bill. Knowing the deadly effect of the "point of order" that permits one Member of Congress to assassinate legislation that is attached to appropriation bills, I plead with you to report it out as a separate measure.

The CHAIRMAN. Why separate bill? If we had a rule to make it in order would not that be sufficient?

Mr. NELSON. If you could safeguard it against the point of order.

The CHAIRMAN. We might be able to do that if we conclude to do it at all.

Mr. NELSON. I trust you will conclude to do it and will be able to make that arrangement.

The letter carriers enjoyed an 8-hour law for years until a year or a little more ago, when Mr. Hitchcock succeeded in having the Court of Claims render a decision that a provision in an appropriation bill of some years ago providing "that carriers should not be worked more than 48 hours during the 6 working days of the week" was permanent law, and the department has since been working the carriers on that basis. On that basis much injustice has developed because of the leeway that it permits of working a carrier 9 hours to-day and 7 to-morrow. The fact that efficient service was rendered and no embarrassment to the service resulted when the carriers were under a straight 8-hour law is the best argument that can be advanced that the Reilly bill is not an untried proposition. Both the clerks and carriers are entitled to its just provisions.

I must, however, in justice to the clerks—and I believe that the carriers will understand, and I hope this committee will, that my pleading is for justice to both the clerks and carriers and that I make the statement clear that full justice will never be done on the hour question until such a measure as is the Reilly bill is enacted. But I desire to make this additional statement: That should this committee in some way become of doubtful mind as to the advisability of enacting the provisions of the Reilly bill—and I can not see how that can happen, but in the event that it does—I say to you on the department's own argument "that the regulation providing a 48-hour week for carriers is satisfactory to the service," that certainly the post-office clerks, with the scheme study and night work required of them, are beyond a question of doubt entitled to a regulation that will regulate their hours so that they will not exceed 48 hours for 6 days of the week and providing for 1 full day's rest in every 7. I repeat again that full justice is provided to both the department and the clerks and carriers in the Reilly bill, and that I only offer this statement with regard to providing a 48-hour-a-week regulation, because I have been told that legislation is always a compromise, if that be true, and I do not know why it should be when you gentlemen are desirous of doing justice and our request for the Reilly bill is only that which is absolutely just, then I submit that no reasons can be advanced that are sound in opposition to giving to the clerks that which has been admitted by the department to be reasonable. I desire to insert in the record a copy of a bill that former Congressman Goebel introduced in the Sixty-first Congress, providing for 48 hours a week of 6 days.

The bill referred to by Mr. NELSON follows:

"A bill to regulate the hours of labor of clerks in first and second class post offices.

"Be it enacted, etc., That clerks in post offices of the first and second class shall be required to work not to exceed 48 hours in any one week, except as hereinafter provided.

"SEC. 2. That all clerks designated in section 1 of this act shall be allowed one full day's rest in each week with full pay therefor.

"SEC. 3. That the hours of duty of each clerk shall be performed in 8 consecutive hours in each 24, or as near thereto as may be possible.

"SEC. 4. That when any clerk is required to work more than 48 hours in any one week, said clerk shall receive extra compensation for all time worked in excess of 48 hours at the regular rate of pay of said clerk: Provided, That in no case shall pay for overtime be at a rate less than 30 cents per hour."

It was said for years that the post offices could not be closed on Sundays, and that compensatory time off for Sunday work could not be given. That was said before the department really tried to work out a schedule to grant such time. To-day—thanks to the provision that was carried in the last appropriation bill which served to awaken some postmasters to try to arrange for compensatory time off for Sunday work—it has been done in many offices; but in view of the fact that the provision was not mandatory in its provisions there are some postmasters who have refused to try to comply with your suggestion made last session.

Congressman REILLY's bill provides that it shall be mandatory to grant compensatory time off for Sunday work. It is only by mandatory provisions that Congress can hope to have its will carried out when so many are to be relied upon to interpret the same. I desire to call your attention to this fact relative to compensatory time off for Sunday work: That in effect, even with its provision obeyed, it does not give to the clerk one full day of rest per week. In most all instances the Sunday work performed is not for a full day, but ranging from two to six hours. That means that the number of hours worked on Sunday will be compensated for by permitting the clerk to absent himself that number of hours on a week day. It does not give him one full day's rest in each week; it does not grant him one day in the week when he does not have to report for duty, when he can recreate by omitting thoughts of duty for one entire day. It causes foremen to

order clerks to report for duty for two hours on Sunday when at times that could be avoided. That is done because they can afford to grant two hours off without much inconvenience during the week. As a clerk must spend time in coming and going from work to put in two hours, it is preferable almost to work a full day on Sunday and have a full day off during the week. By providing for one full day off during the week you would check unnecessary Sunday work, and the clerk could get the benefit of one complete day's rest.

I have devoted considerable time to a portrayal of the emphatic need of legislation to regulate the hours of labor of post-office clerks. I believe that I have pointed out the character of the work they do, its demands on them mentally and physically, and the conditions under which it is performed. I have wanted to do this accurately and thoroughly, so that you might be duly impressed with the need for action in response to our very just request. I hope that I have accomplished my purpose. This need is paramount to all our needs for legislation, with the exception of that embraced in the measure known as the Lloyd bill, providing for the restoration of our rights as American citizens.

#### THIRTY DAYS' VACATION.

The organization I represent have gone on record as being opposed to the legislation recommended by the Postmaster General to provide him with the authority to give us 30 days' vacation. The form of a bill for 30 days' vacation that he advocates and has been pushing leaves it optional with him as to the number of days' vacation that should be allowed; it would repeal the present mandatory 15-day vacation act and he might then decree to grant us only 5 or 10 days' vacation. That is one reason for our failure to endorse his movement and recommendation for 30 days' vacation.

In this connection permit me to also call your attention to the fact that the Postmaster General, evidently in an effort to forestall the enactment of legislation to regulate our hours of labor, has established in some post offices a rebate system for the rebating of all time worked in excess of eight hours a day averaged for the year; that is to say, that in some offices the time worked for the year is aggregated, and whatever time in excess of the time that eight hours a day multiplied by the number of working days in the year amounts to is rebated by giving the time off at convenient periods during the following year. I want to say very frankly that the clerks appreciate receiving such a rebate rather than none at all. But I do want to call attention to the fact that working 10 hours a night for two or three months straight and thereby shattering and undermining our health can not be compensated for by allowing us time off the following year. Such a system is far from being as economical as the Postmaster General believes it is. During the time that the clerks are working the 10-hour a day or night stretch they are accomplishing not one whit more than if they came down to work each day knowing that they would quit after an 8-hour period. Then when some of the clerks are off on rebate time it means that more overtime is necessary for those on duty because of the force being short.

I mention this in connection with the 30-day vacation proposition, because it is calculated that the Postmaster General wants to legalize the rebate system by having the power to grant vacations for not to exceed 30 days a year. With that power delegated him, his granting time off for long hours worked would be legalized and undoubtedly a clerk would have to show that he worked 15 days overtime during the year to receive the 30 days' vacation.

We appreciate the granting of time off under the rebate plan, but we desire to point out that a straight eight-hour day would react to the benefit of the service and is far better than a system that creates continuous overtime. We prefer much rather a straight eight-hour day. We would know just what time we were going to get through every day and would come to work in a fit mental and physical condition and with more of a spirit to dig in and get the work out than under the present conditions. It is merely a matter of enacting provision for an eight-hour day and then the department will get busy and arrange schedules on that basis. As it is, injustice is done because of lack of regulation.

We feel that a 30-day vacation is a luxury as compared to our need for legislation on the hour question to the need for some provision for compensation to the clerk who contracts sickness or is disabled or killed in the performance of his duty. Even if we could be assured that the 30-day vacation would be mandatory we say "that these other needs and the need for more adequate salary is paramount to the luxury of a 30-day vacation."

Mr. BUCHANAN. Mr. Chairman, Mr. Nelson is one of the most intelligent men active in the trade-union movement, and his honesty and sincerity of purpose and fidelity to a principle were well proven when his steadfastness to the cause of the postal clerks caused him to give up his position in the Chicago post office. Mr. Nelson, as president of the National Federation of Post Office Clerks, has studied this question from the viewpoint of the best interests of the postal employees and postal service, and is well qualified to know the needs of adopting legislation which is incorporated in this Post Office appropriation bill for the purpose of improving the conditions of the postal employees.

Mr. Chairman, there are several legislative features in this pending Post Office appropriation bill of great moment to the vast army of postal employees of this country. The provision contained in this bill to establish an eight-hour day for post-office clerks and city letter carriers is of such obvious merit that it is difficult to understand why such legislation has not been enacted long ago. Another provision in this bill, that which restores to the postal employees of the country their citizenship with its right of free speech guaranteed to them by the Constitution is second to no other feature of this bill in its far-reaching importance.

Mr. Chairman, I wish to present a statement of the United National Association of Post Office Clerks, in which the adoption of both these provisions is earnestly advocated:

The United National Association of Post Office Clerks is an organization of more than 22,000 members, composed of the clerks employed in the first and second class post offices of the country. Year after year in its annual conventions it has gone on record asking for the establishment of an eight-hour day. For more than 15 years it has



inspired the introduction of bills to establish an eight-hour day, but all of these bills year after year have been permitted to slumber in the pigeonhole of the Post Office Committee.

The Post Office Department has chosen in all of these years to strongly oppose the enactment of legislation looking to the establishment of an eight-hour day for post-office clerks. The Post Office Department, in different reports, has contended that the clerks did not actually average more than eight hours a day. The department has also professed its belief that eight hours was sufficient to constitute a day's labor. Notwithstanding all of these protestations the hours of the clerks have been so long and the working conditions under which they have labored have been so burdensome as to make conditions well nigh intolerable. For three years the United National Association of Post Office Clerks has declared at each annual convention that the establishment of a legal eight-hour day for post-office clerks was their greatest need and their paramount issue. While other conditions in the service need legislative correction, this organization has been compelled to recognize that no other issue even approximated the importance of the enactment of an eight-hour bill. Ever since 1868 it has been the policy of this Government to require not more than eight hours of labor each day from its employees. There has never existed any reason why this army of post-office clerks should have been denied the benefits of that recognized policy of the Government. On June 30, 1911, there were 32,319 clerks employed in the 2,351 first and second class post offices of the United States. It is perfectly obvious that the hours of labor of such a vast army of employees can only be safely regulated by legislation. To permit each one of the 2,351 postmasters of the country to use his own discretion as to what constitutes a day's labor could only invite the chaos, discrimination, and favoritism which has prevailed. Statistics gathered by the United National Association of Post Office Clerks for the month of October, 1911, reveals the fact that the clerks in 230 first and second class post offices in almost every State in the Union have actually been employed from 9 hours to 12 hours a day exclusive of all time off for meals, and so forth. It must be remembered that these clerks are very frequently employed in poorly ventilated and insanitary buildings not suited to post-office work. A very large percentage are employed at night working under artificial light. A large percentage are distributors upon whom depend the prompt and expeditious dispatch of the mails.

These distributors to be proficient must devote hours of study at home in the mastering of difficult schemes of distribution. These clerks must memorize the names of post offices in many States; they must know the railroads by which the mails can be dispatched; they must know at what particular hour of the day or night to dispatch a letter by the proper road, for there are many roads with trains departing at different hours of the day or night. These men have little or no opportunity to be seated while at their work, and they are constantly exercising both body and brain. The department in opposing this legislation contends that it might be impractical, because the mails do not flow evenly at all seasons of the year. The best answer to this argument is to say that there is no business of any character in this country in which there is not a change in the volume of the same at different seasons. As a matter of fact, a study of the postal receipts, which constitute the best criterion as to the volume of mails, shows remarkable uniformity in the volume of mail. For eight months of the year—September, October, November, January, February, April, May, and June—the average monthly receipts for the 50 largest offices of the country is \$9,597,815.88. The receipts for November, the heaviest month of these eight, were \$9,956,475.20. Thus it will be seen that for eight months of the year there is remarkable uniformity in the volume of the mail. In July and August, the midsummer months, the receipts are materially less, but there is no relaxation for the clerks, for during these two months these 32,319 clerks take their annual vacations, allowed by law, of 15 days. The clerks remaining on duty must discharge in addition to their own duties the duties of the clerks who are on vacation. As a result in very many offices the clerks actually work in excess of eight hours a day, even in these midsummer months. In December and March the volume of mail is very much greater than the volume during the normal eight months of the year. However, through legislation enacted in 1907, the department has the right to employ auxiliary help at the rate of 30 cents an hour, and if proper advantage of this existing legislation is taken, all of these emergencies can be met.

This proposed 8-hour legislation in this bill provides that the clerks and letter carriers shall work 8 hours within 10, and that if the needs of the service require they can be requested to work in excess of 8 hours, provided that they be paid extra for the same in proportion to their salaries as fixed by law. These employees, in seeking legislation specifically stating that the proposed 8 hours may be stretched over a period of 10

hours, show a very reasonable attitude. Naturally the clerks and carriers would prefer to work 8 hours within 9 hours, but to give the service every possible advantage they have yielded this point and have asked that the 8 hours shall be covered within a period of 10 hours. Under existing conditions where 8-hour schedules are supposed to obtain, the 8 hours are frequently stretched out over a period of 12 or more hours. This is a condition that the United National Association of Post Office Clerks has long tried to bring to the attention of Congress. A system has grown up in the postal service whereby clerks and carriers are compelled to register off duty for periods of one hour or more at different times of the day. This time off duty is of no advantage whatever to the employee, and he would much prefer to be steadily employed. In opposing this legislation the department has contended that that clause which provides that the employees shall be paid extra for time worked in excess of 8 hours each day would provide an opportunity for these employees to purposely extend their time beyond 8 hours to increase their compensation. Such a charge should be unworthy of a great department of the Government. The lack of confidence which such a charge indicates in the rank and file of the employees can not be justified. The clerks and carriers are as loyal to the service as are their superiors. Their only purpose is to secure an 8-hour day. By asking for the insertion of this clause—that the 8 hours may extend over 10 hours—they showed a disposition to meet the emergencies of the service.

It must not be overlooked that any proposed 8-hour legislation which does not provide for pay for overtime would not be mandatory. The courts have frequently held that legislation regulating the hours of the employees, which did not provide a penalty in the event that the men were permitted to work more than eight hours, was merely directory and not mandatory.

As a matter of fact, if this proposed 8-hour legislation is enacted, it will simply mean that the supervisory officers of the Post Office Department, who are paid to supervise the work of the employees, will have to readjust the schedules of the employees so that their duties can be performed each day in 8 hours within a period of 10 hours. The department contends that it will prove very expensive to pay these employees for their overtime. Certainly this contention can not be given serious consideration in opposing this legislation. Even if it were true that there would be an increased cost to the Government, can anyone justify the withholding from these employees the just compensation which they have earned? The First Assistant Postmaster General, in a statement before the Post Office Committee in the hearings on this pending bill, stated—

about 85 per cent of the carriers and clerks complete their tour of duty within 10 hours, and probably 95 per cent within 11 hours, but in some instances their 8-hour tours of duty extend over 12 or 13 hours, I presume.

This official statement of the First Assistant Postmaster General shows conclusively that there will be no considerable increase in the cost of this service, and it is hard to understand the attitude of the department in opposition to this legislation after such a statement as above quoted has been made. A clause in this bill provides as follows:

That should the needs of the service require the employment on Sunday of letter carriers in the City Delivery Service and clerks in first and second class post offices, the employees who are required and ordered to perform Sunday work shall be allowed compensatory time off on one of the six days following the Sunday on which they performed such service.

For years and years it has been customary to open the post offices of the country on Sunday. This practice necessitated that many clerks and carriers had to be on duty on Sundays as well as any other day. For this Sunday work they received no consideration whatsoever. The last Congress incorporated a provision in the appropriation bill to the effect that for services required on Sundays these employees "may" be allowed compensatory time off on a week day for the time worked on Sunday. Because of the use of the word "may" the department construed this legislation to be permissive rather than directory, with the result that there are upward of 300 offices of the first and second class now where the clerks are not receiving compensatory time off for their Sunday work.

In a great many other offices where the compensatory time is given it is doled out to the employees in installments of 10 or 15 minutes a day. Of course this time so distributed is of no use to the employee. The clause in this pending legislation makes it mandatory to give the employees time off for all necessary Sunday work, and it further provides that they shall have this time off for this Sunday work on some one day.

AS TO LETTER CARRIERS.

On May 24, 1888, Congress enacted what was known as the letter carriers' eight-hour law. Notwithstanding the enactment of that law, no genuine effort was made by the post-office

officials to put the same into effect until after a decision of the Supreme Court on a suit to recover pay for overtime. As a result of that suit the Government was called upon to pay approximately \$3,000,000 on claims of letter carriers who had worked in excess of eight hours. On January 1, 1895, following the decision of the Supreme Court, Postmaster General Bissell issued an order to prevent the further making of overtime by letter carriers. From that time on the department exercised such supervision over the schedules of the letter carriers that no overtime was ever permitted and in all of these subsequent years the public received a satisfactory service. The letter carriers continued to enjoy the benefits of their eight-hour law until June 30, 1900. When the Post Office appropriation bill for the year ending June 30, 1901, was under consideration, Mr. Lott, chairman of the committee at that time, offered an amendment from the floor, which reads as follows:

*Provided*, That letter carriers may be required to work as nearly as practicable only 8 hours on each working day, but not in any event exceeding 48 hours during the 6 working days of each week, and such number of hours on Sunday not exceeding 8, as may be required by the needs of the service; and if a legal holiday shall occur on any working day, the service performed on such day, if less than 8 hours, shall be counted as 8 hours without regard to the time actually employed.

This 48-hour law for letter carriers did not give satisfaction either to the officials of the department or to the letter carriers. In 1901 the department called upon the Assistant Attorney General for the department for an opinion as to the life of this 48-hour provision above quoted. The legal opinion rendered was to the effect that the proviso in the appropriation act above quoted ended with the year for which the appropriation was made. The following year the letter carriers were again placed back under the provisions of their regular 8-hour law. This was in 1901. In 1909 the Postmaster General instigated a suit in the Court of Claims to determine whether the 48-hour proviso in the appropriation act of 1901 superseded the letter carriers' 8-hour law of 1888. Finally, on May 31, 1910, the Court of Claims handed down a decision that the 48-hour proviso in the appropriation act of 1901 was in full force and effect. Following that decision the Post Office Department issued orders that the carriers should be placed back on the basis of 48 hours per week rather than 8 hours per day. The 48-hour per week proviso contained no penalty clause giving the carrier the right to recover in the event that he was compelled to work more than 48 hours per week. There has been much dissatisfaction since the carriers have been placed back on the 48-hour per week basis. The temptation exists, and has been taken advantage of, to drop a trip on one day and add on an extra trip some other day. Naturally this taking advantage of every possible moment of the carrier's time militates against the regularity of delivering mail and leads to dissatisfaction and complaints among the business people. The fact that the carriers were not permitted to work overtime from 1895 to 1901 is the most conclusive evidence that schedules can be so arranged as to provide for 8 hours' work without overtime. While the post-office clerks have never been protected by any legislation whatever as to their hours of labor, it will be observed that the carriers did have some protection. But since this recent decision of the Court of Claims, under which it has been declared that the carriers' 8-hour law of 1888 is nullified, the letter carriers are also practically without legal protection as to their hours of labor. Consequently it has become a paramount issue of the letter carriers to reestablish their 8-hour day. Thus the National Association of Letter Carriers, composed of some 30,000 letter carriers in the first and second class post offices of the country, have made common cause with the United National Association of Post Office Clerks in seeking a genuine 8-hour day law. These two organizations are in thorough agreement as to the provisions of this pending 8-hour legislation which the Post Office Committee has incorporated in the Post Office appropriation bill.

#### THE GAG RULE.

The Post Office Committee has incorporated in this appropriation bill the bill which was introduced by Mr. LLOYD of Missouri, to free the civil-service employees of the Government from the operation of the so-called gag rule, first promulgated by former President Roosevelt and afterwards reissued by the present Chief Executive of the Nation. Under this rule the employees were prevented from appealing to either House of Congress or to any committee of Congress or to any Member of Congress for legislation to remedy their working conditions. No rule was ever issued which has been more obnoxious and more galling to the employees of the Government. To say that because men take employment in the Government service they must sacrifice their citizenship and their right of free speech is an absurdity which would be humorous were it not for the seriousness of its effects. The purpose of the gag rule was to pre-

vent the Congress from learning the actual conditions that surrounded the employees of the service. Under its operation the committees of Congress could hear but one side of the story as to how the employees were treated. That conditions in the postal service have been so bad has been largely due to the fact that the employees were intimidated through the existence of this gag order from effectively making known to Congress the real conditions that prevail. The Lloyd bill also provides that no employee shall be removed from the civil service without being furnished with a written copy of the charges preferred against him and an opportunity to submit a defense in writing and to submit affidavits in support of his defense. It is further provided that a full and complete record of each case shall be annually reported to Congress. The effect of this legislation will be to give the employees a degree of self-confidence which they can not feel at present. The officials of the postal service will be very slow to prefer charges against an employee because of an ambition to satisfy a personal feeling or because an employee might hold to different political belief. The effect of this order will be to give associations of postal employees the right to appeal directly to the different committees of Congress and will result in all of the facts being made known. The personnel of the postal service is of a very high order. The rank and file can be depended upon not to take advantage of this liberty which was theirs and is now being restored to them through the sense of justice which animated the Post Office Committee in putting this legislation in the appropriation bill. At the last annual convention of the United National Association of Post Office Clerks the first resolution acted upon by that body was a resolution indorsing the Lloyd bill and praying Congress for its speedy enactment. That resolution was carried unanimously and with enthusiasm. The employees affected by this legislation will entertain the strongest sense of gratitude to the Congress that enacts into legislation these two provisions—the eight-hour law and the antigag law.

In adopting this eight-hour provision we will give the postal employees protection which has been denied them by the Republican administration for so many years. It will prove my claim that the Government employees can only secure redress by the overthrow of the present administration and the misrule of the Republican Party, and put the reigns of the Government in the control of the Democratic Party, under the leadership of a true Democrat, the Speaker of this House, a man who never turns a deaf ear to the appeals of the workingmen. In adopting the eight-hour provision and throwing greater safeguards around the life and limb of the postal employees this Democratic House is responding to the appeals of the postal employees, which have been received by the Republican Party when in full control of Congress with deaf ears. In passing, with our approval, this provision the Democrats are fulfilling their campaign pledge made to the workmen of the country, just as we have fulfilled other promises by the passage of the bill providing for the extension of the eight-hour law for Government contract work, the prison-labor bill, the bill providing for a children's bureau in the Department of Commerce and Labor; also by the passage of bills reducing the tariff on the necessities of life which, if approved of by the Republican Senate and the President, will result in a material reduction in the high cost of living.

The Democratic Party holds that a campaign promise is a solemn pledge to be faithfully discharged when it has been intrusted with power, but consider this in contrast with the Republican Party, whose every action indicates that it makes promises to give the people remedial legislation solely for campaign purposes and to be violated when once intrusted with power. The great Democratic Party, by virtue of this pledge and performance, makes itself the great agency through which the expressed will of the people may be secured, while on the other hand the Republican Party becomes the implied, if not the expressed, agent of plutocracy.

When the Speaker of this House is President of these United States [applause] and the Democratic Party in full control of our National Government, then indeed can the workers, both in public and private employment, rejoice, for then they will be able to secure redress from the many evils and burdens flowing from the many years of Republican misrule. The Government will again be wrenched from the control of plutocracy, secured in the hands of democracy, and equality and justice will reign supreme.

It has been said on the floor of this House that our Government employees have not the courage to exercise their influence in politics to free themselves from the hardships that they suffer. I deny this charge. It is not true. They have been deceived for years by the false promises of the leaders of the Republican Party, but they are now fully awake to the deception that the party of plutocracy has practiced upon them and



the working people of our country, and when the votes are counted in the next November election it will be found that the workers have both the intelligence and courage to throw off the yoke of oppression that has been placed upon their shoulders by greed and avarice. While oppression in many instances has been their lot, deception practiced upon them, and promises made apparently in good faith and so accepted have been unfulfilled, yet with all this their spirit remains unbroken; and since they have come to the full realization that it is impossible for them to get redress from the party of wealth and power, the party of plutocracy—the Republican Party—they will unite their forces with the enlightened freemen of America to elevate to the highest office in the gift of the people of this Nation the man who believes and puts into practice that “a public office is a public trust and a public official is a public servant,” and that this Government of this great American country should be made a Government of the people in fact by operating it for the benefit of the whole people instead of for the benefit of a privileged few—the man who believes that equal rights for all and special privileges for none is more than a mere glittering generally, but should be made an actual condition of human society. So they are turning to the Hon. CHAMP CLARK, whose rugged honesty, sincerity of purpose, and fidelity to a principle will justify their confidence and support. [Applause.]

Mr. GARDNER of New Jersey. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GILLET].

[Mr. GILLET addressed the committee. See Appendix.]

Mr. GARDNER of New Jersey. Mr. Chairman, I yield to the gentleman from Illinois [Mr. McKENZIE] such part of 30 minutes as he may wish.

Mr. McKENZIE. Mr. Chairman and gentlemen of the committee, it is certainly embarrassing to attempt to address you at this late hour, but it seems to be my opportunity in the discussion, and I want to make a few observations on the bill under consideration. In the first place, I want to congratulate the distinguished chairman of the Committee on the Post Office and Post Roads and the members of that committee for the many good recommendations in the bill now before us. [Applause.]

It contains many things that appeal to me, and which ought to appeal to every Member of this House. The provision requiring that in the near future all mail cars shall be constructed of steel or other indestructible material is a wise and humane provision, and it ought to have been legislated into the law of the land long ago, for it means better protection for the lives of the railway mail clerks in their most hazardous occupation. Again, the provision shortening the hours of labor and granting higher compensation to the clerks and employees in the postal service meets with my hearty approval. I have always felt that the wage earner, whether employed by an individual, a corporation, or the Government, should receive such a reasonable wage as would enable him to live in ordinary comfort, clothe his family respectably, educate his children, and by the exercise of reasonable economy and frugality, lay aside a sufficient sum to purchase a home in which to dwell in the declining years of his life; in other words, in the closing years of life, when no longer able to perform manual labor, he could have a home to dwell in and not be driven from place to place and perhaps ultimately become a public charge.

I am in favor of the Government regulating the great public-service corporations of the country, and in such regulation of the rates charged by such corporations to permit the charging of such rates as will enable the corporation, after paying all other necessary charges and expenses, to pay such a wage as I have mentioned.

I wish to briefly refer to that provision of the bill that breaks the fetters that have heretofore bound the men in the postal service in such a way that they dare not bring their grievances to the notice of the department, except in such manner as provided by their superior officer; dare not solicit the aid of their best friend, should he happen to be a Member of Congress, in order to have him intercede in his behalf. I am glad that such restriction is to be removed and that hereafter we will recognize in this country that when a man enters the Government service he does not surrender any of his rights or liberties as an American citizen. [Applause.]

Mr. BARTLETT. May I ask the gentleman if any other rule ever prevailed until the last two years?

Mr. McKENZIE. I do not know. I will simply say that I want to see the regulation abolished.

Mr. BARTLETT. I agree with you.

Mr. McKENZIE. To the end that no autocratic superior holding an official position in the Government may enforce any such rule against an inferior.

Mr. BARTLETT. I agree with the gentleman; but it was never until the last two years that such an autocratic rule was attempted to be enforced.

Mr. McKENZIE. I believe in the maintenance of discipline in the Government service, and I would dismiss a disturber without ceremony. But such a rule as has been in force is, in my judgment, unfair and un-American.

As to the provision relating to a parcel-post system, I am not so sure that the committee has met the expectations of the people. However, it is a great problem, and one surrounded by many apparent difficulties, and it may be that the recommendation of the committee to simply experiment on a small scale at first, until experience demonstrates the wisdom of enlarging the scope of the law, as was done in the rural-route service; may be the wise course. At any rate, it is not my purpose to discuss that particular portion of the bill, well knowing that there are many men here who will discuss it and who are prepared with facts and figures that will tend to give us more light on the subject. I therefore feel that anything I might say would not be of any advantage to the members of the committee.

My main purpose in addressing the committee was to say a few words in regard to the proposition, made a part of the bill under special rule, relating to Government aid in maintaining post roads in this country.

It has been said on the floor of this House in opposition to this measure that it is unconstitutional, and, further, that it will be the commencement of a raid on the Treasury that will in the end bankrupt the Nation, and, strangely enough, much of this opposition comes from men who have been Members of the House for many years and have witnessed raid after raid made upon the Treasury that would make this raid look very small by comparison.

Mr. AKIN of New York. Will the gentleman yield?

Mr. McKENZIE. Yes, sir; for a question.

Mr. AKIN of New York. Do you know of there being any thought of a commission by anybody to examine into the matter of the appropriation of \$75,000 for the post-office building out at Sundance, where they have 201 inhabitants, in the State of Wyoming?

Mr. McKENZIE. I have heard about that. I have no objections to the people of Sundance getting a public building along with the other cities of the country.

Mr. AKIN of New York. You do not know about a commission being appointed to ascertain whether they should have a building or not?

Mr. McKENZIE. I do not know anything about that.

Now, I want to say in all frankness that this proposition is a new departure in legislation. It is something new for the House of Representatives to be considering the advisability of using Government money in the maintenance of public roads in this country under the name of post roads, and it may be that no man can foresee the extent to which this will be carried if once entered upon by Congress.

However, my friends, when I stop to think that in the years that have passed Congress has appropriated over \$800,000,000 for the improvement of the inland waterways of this country, I am not unmindful of the fact that during all that time the transportation or navigation of the navigable waterways of the country has been growing less and less as the years went by. So far as I am individually concerned, I do not seriously object to these appropriations when it can be shown that they will result in some practical benefit to the people. I am in favor of improving and maintaining good harbor facilities at our lake and deep-water shipping points where some practical use can be made of them, but I am unalterably opposed to appropriating the public money for the purpose of so-called development of inland waterways which, even if made navigable, would be of no earthly use or advantage to the people.

The money to pay for all these projects has been collected from all the people, and will continue so to be, and the end is not yet.

There are some astounding proposals now pending and being agitated; for example, what is known as the Newlands plan, which contemplates the expenditure of \$50,000,000 a year for 10 years for the purpose of standardizing the rivers, irrigation of arid land, reforestation, the building of reservoirs, and many other projects. But in order that I may not be misunderstood or in any way misrepresent the facts I submit the following, taken from an article written by Philip R. Kellar and published in the April (1912) number of the Waterways and Commerce Journal, in which he uses the following language:

The bill appropriates \$50,000,000 a year for 10 years for the “river-regulation fund,” to be used “for the regulation of interstate commerce

and in aid thereof, for examinations and surveys, and for the construction of engineering and other works and projects for the regulation and control of the flow of navigable rivers and their tributaries and source streams, and for the standardization of such flow, and for flood prevention and protection, by the establishment, construction, and maintenance of natural and artificial reservoirs, and by the protection of watersheds from denudation and erosion and from forest fires, and by the maintenance and extension of woodland and other protective cover thereon, and by the reclamation of swamp and overflow lands, and by the building of drainage and irrigation works, and by doing all things necessary to provide for any and all beneficial uses of water that will contribute to its conservation or storage in the ground or in surface reservoirs as an aid to the regulation or control of the flow of rivers.

\* \* \* the purpose of this act being river regulation and the control of the volume of water forming the stage of the river from its sources, so as to standardize the river flow, as contradistinguished from and supplemental to channel improvement as heretofore undertaken and provided for under the various acts commonly known as the river and harbor acts.

There are more than 75,000,000 acres of swamp and overflow lands scattered through 36 States and Territories. These lands are worthless, in addition to being disease-breeding spots that affect the public health. Reclaimed they would produce at the very lowest \$30 worth per acre every year, or \$2,250,000,000. There are between 50,000,000 and 100,000,000 acres partially subject to overflow. Their productivity would be increased by at least \$10 per acre, or \$500,000,000 per year at the lowest figures. There are 35,000,000 acres of arid and semiarid land which could be irrigated if the water in the tributaries of the navigable rivers was stored at flood time and distributed during seasons of drought. These would produce at least \$30 an acre, or \$1,050,000,000. The annual loss from forest fires, soil erosion, etc., is approximately \$200,000,000. This makes the grand total of \$4,000,000,000 that would be saved annually if the Newlands bill is passed and its provisions carried into effect. And this does not take into account the benefit to the public health, the increased transportation facilities due to better river navigation, and the added manufacturing industries that such a vast increase in agricultural productivity would support.

Apparently a simple proposition; and the returns to come from the investment—just think of it. Invest \$50,000,000 a year for 10 years; total investment, \$500,000,000. Note the conservative estimate of the return or saving—\$4,000,000,000 annually. Did ever an oil-well or mining-stock promoter have such an inviting prospectus? What a beautiful and colossal dream. The scheme contemplates the irrigation of the arid regions of the West and the draining of the swamps in the South, and to these two projects I have no particular objection. I am not opposed to the construction of reservoirs in our western country in order to reclaim a part of that barren waste, where it is feasible; but when we think of some of the projects that have been put over we should stop and consider well before acting. Take the project known as the Hondo project, for example. If a constituent of mine writes me the truth, and I have no reason to doubt him, after the appropriation had been made by Congress to construct the reservoir at this place the land sharks immediately began to sell the land which was assumed would be watered from the reservoir. This constituent of mine, acting on the inducements offered him, purchased some of this land, and now it turns out that after the reservoir is constructed there is no water for him; that the water is lost by seepage, and, I presume, the wind carried considerable sand into the reservoir, and that had a tendency to absorb the water. At any rate, the Government built the reservoir, my friend bought the land, the reservoir is dry, nothing grows on the land, and my friend holds the sack; and he is inclined to complain, and, I think, justly.

It is against such things as this I protest. We all know that recently Congress—not this Congress, however—enacted a law to appropriate money for the taking over certain so-called forest reserves, among them the Appalachian Mountain Reserve, for the purpose of reforestation, for one alleged purpose of regulating the watercourses. Aye, and men were hired to plant the trees, and then to watch them grow, to watch the leaves fall and watch that no one burned the leaves, in order that when the rain descended the leaves would hold the rain and the rain would percolate slowly, not swiftly, through the leaves and form rivulets, and the rivulets would slowly meander down the mountain side into the valley below and there be caught in a great reservoir, built for the purpose, in order that the water could be held in reserve and let out at intervals as navigation demanded. That proposition was approved by Congress, and there are many men in this country to-day advocating just such propositions.

Now, while it may be the correct theory of conservation to do some of these impractical things, I must say to you, gentlemen, that, in the name of fairness, in the name of common justice and equity—and we hear a great deal about equity here—do you expect the people of Illinois and the other great States that are paying the greater part of the taxes necessary to carry out all these projects to submit quietly to such uses of the public money and make no complaint? If the discussion of the proposition to expend a part of the public money on the highways of the country arouses such hostility that will prevent such use and at the same time close the doors of the Treasury against all manner of raids that have been made in the past, this discussion will not have been in vain.

But, gentlemen, if you are going to continue to construct reservoirs in the shadow of the Rocky Mountains, where there is not sufficient water to fill them when built; if you are going to continue such schemes as planting trees on the barren slopes of the Appalachians simply because some scientist, engineer, or promoter advocates it, in the name of the taxpayers of Illinois, I shall most earnestly protest, but if it must be, then I shall insist that some portion of the public money shall be expended upon the highways of the country. [Applause.]

The construction and maintenance of the public roads in this country is the greatest economic question of the day, in my judgment. By improving the country roads the country is enriched; something has been done that will be of lasting value to the people of this and the coming generations, but if you should pour all the money of the Pizarros into the streams of the land whose channels are ever changing by the shifting sands that compose their beds, it would be but a ruthless waste, in my humble judgment. [Applause.]

Mr. GARDNER of New Jersey. I yield 30 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the remarks of the gentleman from Illinois [Mr. McKENZIE] illustrate how far-reaching is the effect of an error. Because we have deepened streams that should have been macadamized, because we have dredged lonesome harbors that never saw a boat, because we are proposing, in the interest of water-power owners and landowners, to embark upon an unfortunate scheme of centralization in the Appalachians and White Mountains, the gentleman from Illinois says, having done all these things that we ought not to have done, let there be no limit to our wrongdoing. That is what his argument amounts to.

The gentleman referred to the expenditure of a few Federal dollars in the West, but I want to remind him of the fact that the hardy sons of toll who are going on those lands are paying for them. The Government is not giving them anything except an opportunity. Not a dollar of Federal money goes to them as a gift. We simply lend them the Federal credit. Furthermore, we are not spending money raised by taxation, but the proceeds of the sales of our public lands for that work.

Mr. McKENZIE. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Illinois?

Mr. MONDELL. I yield gladly.

Mr. McKENZIE. The gentleman from Wyoming does not assume for a moment that I objected to the giving of the money to the western country?

Mr. MONDELL. No; not at all. Of course, the gentleman made the mistake of assuming that the plan of reclamation in the West could be properly compared with the Appalachian scheme or with the improper use of Federal money in river and harbor work. But the gentleman suggested that inasmuch as we had done things that, perhaps, we ought not to have done, instead of praying to be delivered from further mistakes we should go forward embracing every error that came along. At least that is what I understood the logic of the gentleman's argument to be.

Mr. MADDEN. I congratulate my colleague on having drawn out this effusion from the gentleman from Wyoming.

Mr. McKENZIE. Mr. Chairman, if the gentleman from Wyoming will yield, I assume from what the gentleman says that he thinks the appropriations that have been made in the past are all right.

Mr. MONDELL. Not at all. I never did believe in the Appalachian fraud. I do not believe in it now. I never did believe we ought to have made many of the appropriations that we have made for rivers and harbors, and I do not think that the making of an appropriation in the past that should not have been made is a justification for doing what we ought not to do now or in the future. Rather, it is a warning to us to save the people's money and not expend it improperly and uselessly.

There are other questions besides the spending of public money involved in these schemes. After all, there are some things that are very much more important than the expenditure of money. Among these are great questions, involved in some of these matters, that go to the very foundation of our Government; affect its character; relate to the division of powers and jurisdiction; more important than the cash outlay are the questions as to the effect that the inauguration of certain policies will have upon the life of the Nation in years to come.

I did not vote for the special rule. In the years that I have been here I do not recall that I have ever voted for any rule that proposed to give an opportunity to place general legislation, involving new and important policies, on an appropriation bill. I can think of no worse practice in legislation than that of attempting to place general legislation of such a character on appropriation bills.



And it is as futile as it is evil, because we all understand the rule that the other body has the right to reject, and to insist in its rejection, of any general legislation placed on an appropriation bill.

And so if the Senate should object to any general legislation that may go on this bill by reason of this rule that legislation must come off or the House take the responsibility of the failure of the postal appropriation bill. The rule provides for the consideration of a number of matters that no one in the House would have objected to, but it also contains at least two features entirely new and revolutionary, propositions that have never been thoroughly considered by any committee of the House, that have never been considered to any considerable extent by the people of the country.

The special rule which the House has adopted places before us for consideration and action at least two measures involving a radical and revolutionary departure from our past policy and inaugurating movements the ultimate cost of which nobody professes to know, the ultimate effect of which on our national life no man can foresee.

Neither of these measures have received adequate consideration by committees of the House and neither of them has been generally considered by the people of the country to an extent that will warrant anyone in claiming that a definite public opinion has been formed concerning them.

#### CONDEMNATION AND APPROPRIATION OF EXPRESS COMPANIES.

The first of these propositions contemplates the condemnation appropriation and taking over by the United States of all the property of whatsoever kind of all the express companies of the country, including their "rights, privileges, and franchises," ostensibly "to promote the postal service" and "more efficiently regulate commerce."

I find it somewhat difficult to satisfactorily fathom the object of the Democratic majority in bringing this measure before the House in advance of any general demand for such action by the people of the country. Whatever may happen to the measure here, I assume that no one expects that it will become a law. I think I am justified in suggesting, therefore, that it is simply a part of a general program which it is fondly hoped will not be politically disadvantageous.

I shall leave to the lawyers of this body the task of discussing the many profound and far-reaching legal problems involved in this proposal. For the sake of argument only I shall assume that the condemnation and appropriation proposed can be legally accomplished, and shall confine myself to a brief discussion of some of the practical questions involved.

At the outset I am willing to confess some prejudice against the corporations, at least those best known, which have been carrying on the express business of the country. I can think of no extensive service which has been performed in a more generally unsatisfactory manner. Rates have been in the main excessively high, and the service in other respects has been far from uniformly satisfactory. Taking over a business which is properly a function of the railroads, the express companies have preyed upon the necessities of the public to create enormous dividends out of a business involving comparatively small initial expenditure. Assuming no risks, blazing no new trails, establishing no new highways of trade, the express companies have simply taken advantage of the facilities afforded by the railways to secure inordinate profits for a few privileged stockholders out of a service which should have remained in the hands of the railways to be furnished on the basis of fair and reasonable returns.

The day of inordinate express profits is drawing to a close. Express companies have been brought under control of the Interstate Commerce Commission, and the commission has been giving careful study to the express business in all its phases and with regard to all its details. In the near future the commission will promulgate an order profoundly affecting the methods of express business, rendering impossible double charges, providing for a reclassification, and materially reducing rates over the entire country. A few days ago there was reported from the Committee on Interstate and Foreign Commerce a bill the effect of which, if enacted into law, will be to very considerably reduce the express rates on packages up to 11 pounds and provide connection between the express systems and rural routes. All this makes it very clear that the express business of the country must hereafter be conducted under close governmental supervision and at rates that will not afford the enormous profits of the past.

It strikes me as being very remarkable, to say the least, that just at this juncture, when, through an administrative bureau in full operation and legislation proposed, the rights and franchises and possibly the tangible property of the express companies are likely to be reduced tremendously in their earning

capacity, that, without any proper consideration of the matter, it is precipitately proposed that the Government shall take over the companies, bag and baggage, including all of their accumulated junk.

I assume that it is admitted by all that the "property, rights, and franchises" proposed to be condemned and appropriated must be paid for. I also assume that it will not be denied that this property, these rights and franchises, must be paid for at least at their earning value at the time they are taken over—

Mr. LEWIS. Will the gentleman yield?

Mr. MONDELL. I shall be glad to.

Mr. LEWIS. There are no such things as express-company franchises, and the bill does not provide for the appropriation of money for express-company franchises.

Mr. MONDELL. I do not pretend to pass upon the question as to whether express companies have franchises. The bill which the gentleman has supported and the legislation now before us certainly does provide in express terms for the condemnation and appropriation of the rights and franchises, as well as the property of express companies. I still hold to the idea that the constitutional prohibition against taking property without paying for it holds good, and whatever we may write into the law the courts will ultimately give these people what their property is worth, based on its earning value, and that is what you are proposing to do.

Mr. MARTIN of South Dakota. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. MARTIN of South Dakota. In answer to the suggestion of the gentleman from Maryland, I think it ought to be said to the committee that the tabulation which the gentleman has presented for the consideration of the Committee on Interstate and Foreign Commerce, which has been considering this matter, has had down an item of franchises and other things associated with it at a value of something like \$10,000,000. It is only since the bill was considered that that item has dropped out, and if you will look at the special rule returned by the Committee on Rules now before the House making these things admissible on the present bill, you will find the word "franchise" in it. It was put into the bill by the gentleman and his associates in the formation of the Goeke bill.

Mr. LEWIS. It is not in the bill reported from the Interstate and Foreign Commerce Committee of which the gentleman from Wyoming was speaking.

Mr. MARTIN of South Dakota. It has been stricken out in the committee, but it is in the bill that was drafted, and in the bill which is made admissible here you will see the word "franchise."

Mr. MONDELL. Mr. Chairman, I thank the gentleman from South Dakota for emphasizing the fact that the words "rights and franchise" are in the measure which we are considering, and as far as that is concerned it would not make a particle of difference whether you call them rights and franchises or some other name. I assume that when a sovereign takes over the right to do business, the sovereign must pay for the thing taken, and I do not think it makes any difference what you call it. If it is true that there is in the area over which our flag floats some intangible thing called government, separate from the people, that can take the property of the people without compensation, we have come to a bad pass in this Republic of ours. It does not matter whether it is the property of an undesirable citizen or a grasping corporation or of the holiest and best-meaning man that ever lived. Whoever it belongs to it has the same protection, and if it is taken it must be paid for. If I am wrong about that, then I have lived all these years in profound ignorance of the Government of which I am a citizen.

It follows, therefore, that it is proposed to take over this property, those rights and franchises, at a time when their earning value is the highest, and before that earning value has been decreased by the orders of the Interstate Commerce Commission and legislation already reported by a committee of the House.

If I were an owner of express stock the proposed legislation would occur to me as being in the nature of a godsend. It is just exactly the thing which, in the present situation, with lower express rates inevitable in the near future and therefore reduced profits, the holders of express stock would be expected to profoundly pray for.

Mr. MARTIN of South Dakota. Will the gentleman permit another interruption there?

Mr. MONDELL. If I may have the time.

Mr. MARTIN of South Dakota. I interrupt just to say right upon this point that perhaps this committee ought to know that notice was given to the express companies to appear before the Committee on Interstate and Foreign Commerce if they desired

to make any opposition to that measure, and a couple of days were named as days when they could come, and they have not at all appeared to oppose the measure.

Mr. LEWIS. And may I further interrupt the gentleman?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. Certainly.

Mr. LEWIS. Did the express companies appear to contest or be heard on the subject of the rate-regulation bill that was reported by the committee?

Mr. MARTIN of South Dakota. That matter was not to my knowledge specifically called to the attention of the express companies, but the chairman of the committee said specifically as to this bill that they had been notified to appear, and for one I was not at all surprised that they did not appear to oppose it.

Mr. MONDELL. Mr. Chairman, for years the people have been protesting against inordinate express rates. Placing the express companies under the Interstate Commerce Commission was the first step in the direction of affording relief. The coming order of the Interstate Commerce Commission reducing rates is the first definite realization of relief; and the bill recently reported out of the Committee on Interstate and Foreign Commerce brings nearer the day of the full realization of the people's hopes of lower rates. At this critical juncture for the express companies along comes the Democratic majority in the House proposing to save the companies and their stockholders from any loss by taking over their business and paying for it on the basis of the swollen profits which they have been receiving. It is not strange that no one connected with an express company has protested against this procedure. It strikes me as being exactly the thing which under the circumstances they would desire to have done.

Everybody knows that the people have made up their minds that they are going to have lower express rates and that they have made up their minds they are going to occupy part of the field now occupied by the express companies. If this is not what the express companies want, what do they want? Here is an opportunity to sell their property at its present earning value, and I challenge any lawyer in this House to combat the proposition that such will be the basis on which we will ultimately be compelled to pay for this property if we take it in the way proposed.

Mr. LEWIS. Mr. Chairman, will the gentleman permit an interruption?

Mr. MONDELL. My time is limited.

Mr. LEWIS. But the gentleman challenged any lawyer in the House—

Mr. MONDELL. The gentleman has plenty of time in which to reply to that challenge.

Mr. LEWIS. And I have the law in my hand here, and that law challenges the gentleman's declaration.

Mr. MONDELL. The gentleman may have some theory upon which the Government—the sovereign—can confiscate property. If he has any such theory it is something that has not come out of the courts and is not written in the law books. It must be a part of the new nationalism.

Mr. BERGER. Oh, now, do not attack me.

Mr. MONDELL. Is the gentleman a believer in the new nationalism?

Mr. BERGER. Oh, no; I thought the gentleman said socialism.

Mr. MONDELL. This is not socialism. No Socialist would think of going at a thing in this unbusinesslike way—grabbing at something without knowing what he was getting or how much he was going to pay for it, with the certainty that he would pay more than it was worth, and that when he got it he would have something that would be of questionable value.

#### NOT NECESSARY FOR THE ESTABLISHMENT OF A PARCEL POST.

The first purpose named in the bill for the taking over of the express business of the country is "to promote the postal service," but I am at a loss to understand how the postal service of the country is to be promoted by the procedure proposed, at least in the way in which it is proposed. It is claimed that the taking over of the express business of the country is essential to the establishment of a parcel post. If that be true, it is strange that it has not been generally recognized by those who have been the most ardent advocates of parcel post. The fact is that, while a general parcel post would undoubtedly take much business from the express companies, it would still leave a very considerable and very important express business, which is, in fact, a fast freight business, in no wise connected with the carrying of such parcels as properly appertain to a parcel post. I can understand, however, how, with the probability of a parcel post before them, the effect of which would be to curtail their business in certain lines, the express companies might

think that this was a good time to unload their property at good, fat prices on an unsuspecting public, as the measure proposes to allow them to do.

Mr. LEWIS. The gentleman has made the boldest sort of statement that the express companies desired this very kind of legislation and that it is just put in here at a time when they would desire it most.

Mr. MONDELL. Mr. Chairman, I think I have not said I knew they desired it. I said that if I owned express stock I would desire it. I do not own any. I have said that, looking at it from their selfish standpoint, in my opinion, this is exactly what the express companies would want, and I repeat it, and I would like to emphasize it, that I can not think of anything that would appeal to the express magnate more than this; that at the dawning of the day when the American people have provided for lower rates, when they are proposing to occupy a large portion of the field, we take over the property on the basis of its past swollen earning value. [Applause.] There is no getting away from that, that that is exactly the proposition before us.

There is another interesting feature of this matter. Not only have the express companies failed to put in an appearance in the hearings on legislation identical with that before us and have made no protest against it, but the railroad companies, who will be profoundly affected by the proposed legislation, have made no protest against it. The legislation proposes that the Government shall take over the contracts which the express companies now have with the railroads, under which the railroads receive very large sums. The gentleman from Maryland [Mr. LEWIS] a few days ago stated on the floor of the House that the Government is now paying the railroads twice as much for postal service as the express companies are paying for the same kind of service. Is it not reasonable to suppose that the railroad companies are quite content to have the Government take over the express companies, with the expectation, based on experience, that they will get quite as much from the Government as from the express companies, and probably much more? I impugn no man's motives, and I never have in this House, and I never expect to do so, but this proposition, no matter how innocently presented, is a gold brick, a fraud, and could work in the interest of no one except the owners of express stock.

The taking over of the express companies of the country and the purchase of their property, rights, and franchises is not even necessary to the establishment of a Government express business. If the country was prepared for and desired to have that done the Government could embark upon a parcel-post enterprise extensive enough to involve the carrying of packages as high as 100 pounds or even heavier, without the expenditure of a dollar in the purchase of the property which the express companies own. I admit that such a plan or policy would largely infringe upon the business of the express companies; would largely reduce their profits; but if such a policy is deemed wise I am not so solicitous of the welfare of the express companies that I feel called upon to vote the money of the people and their credit to an extent and in an amount which no man can even approximately guess in order to save them from possible loss.

How many millions or hundreds of millions is this condemnation and appropriation to cost? Does anybody know?

Will it cost fifty millions or a hundred or a hundred and fifty million dollars, and when will we know how much it will cost? How long will it take the courts to decide what must be paid for these properties, rights, and franchises? There is one consoling thought that may occur to the advocates of this blind experiment of unknown cost, and that is that they will probably be called hence long before it was finally decided how much the people must pay, and thus escape personal condemnation.

The estimates of cost that have been made by gentlemen in favor of this bill are ridiculous. Stop for a moment and figure on even the lowest basis of capitalization the enormous profits that the express companies have been making for years, and then talk about taking over the property of the express companies for a paltry \$40,000,000 or \$50,000,000. Unless the courts of the country took a view of this matter they have never taken, when like questions were involved, the cost would run into the hundreds of millions, and after we paid it we have, in addition to a lot of old junk, a right to do business which we have without paying anybody a red cent for it. [Applause.]

When it is done, if it is done, what assurance have we that the benefits will balance or outweigh the disadvantages? How do we know that we will get any better service or any cheaper service than can be had under the strict regulation of rates which we are now inaugurating?



For one I decline to accept the responsibility of joining in a proposition to pull the express companies out of the hole which they conceive strict regulation, reduction of rates, and the probable establishment of a general parcel post will put them into. I decline to sanction the inauguration of a questionable policy of centralization involving serious legal as well as political problems, and vastly increasing the army of Federal employees, which the people have not generally considered and to which they have never given their sanction. The policy is questionable, to say the least; the plan proposed is most extravagant and should not be adopted, even if the policy contemplated were advisable.

#### RENT FOR HIGHWAYS.

Perhaps the most picturesque proposal that has ever been seriously presented to Congress is contained in the provision contained in the amendment which contemplates the payment by the National Government of a rental for the use of the highways over which the rural mails are carried.

In brief, the plan is that the Government shall pay—to whom is not stated—from \$15 to \$25 per mile per annum for all roads of certain classes or character over which the rural mails are carried.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Will the gentleman yield me about 10 or 15 minutes additional?

Mr. GARDNER of New Jersey. I yield 15 minutes to the gentleman.

Mr. MONDELL. This measure is confidently expected to appeal strongly to the rural population and, it is hoped, will sustain the waning political fortunes of those from the country districts who favor it.

Perhaps if I were situated as some gentlemen are my judgment, like theirs, would be somewhat affected by the political exigencies of my situation; fortunately for me I can look at the matter uninfluenced by the importunings of the folks at home who hope to benefit by this extraordinary and unique raid upon the Federal Treasury.

There are only 10 rural free-delivery routes, covering 287 miles, in the State I have the honor to represent, and if we received the maximum for all of them we would receive but \$7,075 in our State out of a total outlay in the country for this purpose of many millions of dollars. The fact is, however, that none of our rural free-delivery mileage would come under class A at \$25 per mile rent for shell, brick, or macadam roads. I doubt if any of it would come under class D at \$20 per mile for burnt clay, gravel, or clay and gravel, sand and gravel, or rock and gravel roads. Perhaps half our rural roads might come under a liberal interpretation of class C, or good, well-drained, and well-kept dirt roads, at \$15 per mile, so that, in fact, we might receive \$2,145 out of possible millions for the entire country.

I make this statement in order that I may not lay claim to superior courage or virtue when I vote against this measure, as 95 per cent of all those here would do if they counseled with their judgment rather than their fear or hope of political advantage.

Furthermore, I have no automobile factories in my district and am therefore free from the influence of the gentlemen who desire that Uncle Sam shall contribute to boom their business by building and repairing highways.

If we are going into the business of taxing Uncle Sam for sending his mail wagons over our highways, once a day, a sum equal to the entire cost of their upkeep and more, I think we should, in order to be consistent, charge him for every use of our highways by his agents. Down in the moonshining districts it would be highly popular to tax Uncle Sam for the use of the highways by the deputy marshals. [Laughter.] Out our way, if we are to inaugurate this policy, it would be a popular measure to tax the Government for the use of our highways by special agents of the Land Office. [Laughter.] In fact, I know of no other way in which we could secure our share of Federal loot. [Laughter.]

The gentleman who is, I believe, primarily responsible for this plan calls himself, I understand, a Jeffersonian Democrat. I wonder what the patron saint of Democracy would say to such a measure of centralization! Shadow of Thomas Jefferson, with his clear perception of the dividing line between the powers and responsibilities and jurisdiction, respectively, of the Federal Government and the sovereign States! Has it come to be a principle of Jeffersonian Democracy to look upon the Federal Treasury as fair plunder for every one who can get his hand into it with a view of scattering its dollars among his constituents?

It is true that we have done many things which have tended to encourage the view that the Federal Treasury is a myste-

rious source of wealth as unfailing as the waters that followed the smiting of the rock in the wilderness. We have dredged insignificant brooks, we have deepened lonesome harbors, we have protected private property along the rivers from inundation, until it is not strange that some gentlemen here who have participated in these things, and their constituents who have enjoyed and profited by the outlay, have come to look upon Uncle Sam as a sort of glorified Santa Claus who celebrates Christmas every day in the year.

Mr. DUPRÉ. How about irrigation?

Mr. MONDELL. The gentleman evidently was not in the Chamber when I explained that the Federal Government has never given the western farmer a penny under the Federal irrigation law; that every dollar expended is to be returned, and it is rapidly being returned at this time, and will continue to be returned by the hard-working farmers of the West. [Applause.]

I think this is the first time, however, it has been seriously proposed to adopt the tactics of the highwayman and hold up our generous and indulgent Government in the road. The act is the more reprehensible in that it is proposed to sandbag the Government in connection with the performance of a real and valuable service to the people in the delivery of the mails.

It is useless to talk to the other side of the aisle, at least, as to the centralizing tendency of this legislation—local self-government, local responsibility, local control, all these things which constitute the real substance of a proper and legitimate doctrine of State rights, are subjects over which, in theory, the gentlemen grow eloquent in discussion, but which vanish from sight and recollection in the presence of the all-persuading influence of a Federal appropriation. With a few honorable exceptions there is not a gentleman on the other side of the aisle who can not adjust every conviction he ever had on the subject of local versus Federal control to meet any proposition that involves liberal Federal expenditure in his district. That there still remains even a frayed remnant of the distinction between the proper jurisdiction and proper field of expenditure of the State and National Governments, respectively, in any field where a Federal appropriation might be hoped for, is entirely due to the influence of this side of the House.

The gentleman from New York smiles, and I am glad to testify to the helpful influence of the distinguished gentleman from New York [Mr. FITZGERALD], who is not addicted to, navy yards excepted, chasing Federal appropriations as much as some of his colleagues, particularly the gentleman who stands near him. [Laughter.]

The Commonwealth which I have the honor to represent on this floor does not desire and does not expect to turn over any of its police powers to the Federal Government. It intends to retain its highways under its own exclusive jurisdiction, and as it does not anticipate that anyone will permanently contribute largely to its highways, without having some voice directly or indirectly in their control, it does not desire to invite Federal control by accepting the Federal shilling. Neither are our people so lacking in a sense of humor, or so lost to the sense of honor, as to become party to a plan which proposes to fine the Federal Government for undertaking to afford its people mail facilities. We have sufficient difficulty now in securing such facilities without still further jeopardizing our chances in that direction, because the Federal Government is spending its millions elsewhere in paying the States for the privilege of giving their people first-class mail facilities.

In the West the Government still retains ownership over large areas reserved for public purposes, areas untaxed and yielding no returns to the States. We believe the Federal Government should do its duty in building roads over these areas, but the highways of our Commonwealth are our trust and our responsibility. We have no patience with any plan which would make their construction and maintenance a matter of national responsibility, and least of all do we approve a scheme which, in the guise of charging an inordinate rent for the use of roads, is just a plain, barefaced looting of the Public Treasury. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21279, the Post Office appropriation bill, and had directed him to report that it had come to no resolution thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, Mr. BORLAND was granted leave of absence for five days on account of important business.

CONFERENCE REPORT, DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. SULZER. Mr. Speaker, I call up the conference report on the disagreeing votes of the two Houses on the diplomatic and consular appropriation bill (H. R. 19212).

Mr. MANN. Mr. Speaker, I hope the gentleman will not call up that conference report to-night.

Mr. SULZER. I do not know that there is any objection to the report. It is unanimous.

Mr. MANN. There are one or two things in it I wish to call to the attention of the gentleman. It is quite late, and we have not very many people here.

Mr. SULZER. Mr. Speaker, in view of what the gentleman says I shall not insist, but will call it up to-morrow morning.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following resolution:

*Resolved*, That the Senate further insists upon its amendment to the joint resolution (H. J. Res. 39) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3846. An act to authorize a waiver of trial by jury in the district courts of the United States; to the Committee on the Judiciary.

S. 3607. An act to direct the Attorney General to take an appeal to the Supreme Court of the United States from a decree entered by the Circuit Court of the United States in and for the Southern District of New York in the suit of the United States against the American Tobacco Co. and others, and extend the time for taking such appeal, and for other purposes; to the Committee on the Judiciary.

S. 3116. An act to amend sections 1 and 2 of the act of Congress of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," so as to include State land selections, indemnity, school, and educational lands; to the Committee on the Public Lands.

S. 836. An act for the relief of Joel J. Parker; to the Committee on Claims.

ENROLLED BILL SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 18336. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

CLASSIFICATION AND APPRAISEMENT OF UNALLOTTED INDIAN LANDS.

Mr. STEPHENS of Texas. Mr. Speaker, I call up the bill S. 405, and ask that the House insist on its amendments and ask for a conference.

Mr. MANN. Where is the bill?

The SPEAKER. It is on the Speaker's table. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 405) authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands.

Mr. STEPHENS of Texas. Mr. Speaker, I ask that the House insist on its amendment and ask for a conference.

The SPEAKER. The gentleman from Texas moves that the House insist on its amendment and agree to a conference.

Mr. MANN. What is the amendment, I will ask?

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, after the word "reservation," insert the word "heretofore."

Mr. STEPHENS of Texas. The intention is to make it so that it will apply to reservations heretofore opened as well as hereafter to be opened.

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] moves that the House insist on its amendment and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. STEPHENS of Texas, Mr. FERRIS, and Mr. BURKE of South Dakota.

LEAVE TO PRINT.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent that all gentlemen who have spoken upon the Post Office appropriation bill (H. R. 21279) may have leave to extend their

remarks, and those who desire to do so may print remarks in the Record for five legislative days after the passage of the bill.

The SPEAKER. The gentleman from Tennessee [Mr. Moon] asks unanimous consent that those who have spoken on the Post Office appropriation bill shall have permission to extend their remarks in the Record, and those who have not spoken shall have the privilege of printing speeches or remarks in the Record for five legislative days after the bill passes the House.

Mr. MANN. Mr. Speaker, I have no objection to the first part of the request. I may not object to the other when it is submitted after the bill is disposed of.

Mr. MOON of Tennessee. I will say there are a number of gentlemen who wish to print their remarks in the Record, but they desire to go away for a few days and they would like to know what can be done along that line before they leave. I supposed there would be no objection to the printing if they desired it.

Mr. MANN. This is general leave?

The SPEAKER. The gentleman has submitted two propositions—one for general leave to print and one to extend remarks in the Record.

Mr. POWERS. Does the gentleman object to extending the time to 10 days instead of 5?

Mr. MOON of Tennessee. I think five days after the disposition of the bill is long enough. It is on matters contained in the bill.

Mr. MANN. Reserving the right to object, what is the gentleman's purpose in reference to the general debate on the bill now?

Mr. MOON of Tennessee. I am going to ask the consent of the House in a minute that we take a recess until to-morrow at 10.30 o'clock a. m., and I hope that we will be enabled by 10.30 at night, if we continue debate that long, to close general debate.

Mr. MANN. If we take a recess until to-morrow at 11 o'clock?

Mr. MOON of Tennessee. Ten-thirty o'clock.

Mr. MANN. Would general debate take the entire day to-morrow?

Mr. MOON of Tennessee. I think it would; perhaps up to 10.30 to-morrow night. Then we could go into debate of the bill under the five-minute rule Thursday and have a liberal debate, as to time, on the bill Thursday, and Saturday at the latest we ought to have a vote on the bill.

Mr. MANN. I am very much interested in reasonable debate under the five-minute rule.

Mr. MOON of Tennessee. That would give us two days' debate under the five-minute rule, practically.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. Moon] as to the printing of speeches?

There was no objection.

ADJOURNMENT.

Mr. MOON of Tennessee. Mr. Speaker, I ask unanimous consent that the House take a recess until 10.30 o'clock a. m. to-morrow.

Mr. FLOOD of Virginia. Mr. Speaker, I object.

Mr. MOON of Tennessee. Then, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned until Wednesday, April 24, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, submitting claim of town of Mukwa, Wis., for reimbursement of cost of repairs to bridge over Wolf River, adjusted by Chief of Engineers as authorized by river and harbor act approved June 25, 1910 (H. Doc. 713); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Oregon Slough (Columbia River), Oreg. (H. Doc. No. 712); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CLINE, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 66) to amend joint



resolution authorizing the appointment of a commission in relation to universal peace, reported the same with amendment, accompanied by a report (No. 589), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLOOD of Virginia, from the Committee on the Territories, to which was referred the bill (H. R. 38) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes, reported the same with amendment, accompanied by a report (No. 591), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 19544) to amend section 9 of the immigration act approved February 20, 1907, reported the same with amendment, accompanied by a report (No. 590), which said bill and report were referred to the House Calendar.

Mr. DAVENPORT, from the Committee on the Territories, to which was referred the bill (H. R. 17592) to authorize the extension of the boundaries and to include additional areas within incorporated towns in Alaska, reported the same without amendment, accompanied by a report (No. 592), which said bill and report were referred to the House Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 17710) granting a pension to Elias Brown; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 21909) granting a pension to George Wood; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 18445) granting a pension to Benjamin Coe; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARRAN: A bill (H. R. 23667) to regulate the compensation of the journeymen mechanics and laborers of the Annapolis Navy Yard and United States Naval Academy at Annapolis, Md.; to the Committee on Naval Affairs.

By Mr. EVANS: A bill (H. R. 23668) for the erection of a mortuary and memorial chapel in Arlington Cemetery; to the Committee on Military Affairs.

By Mr. MARTIN of South Dakota: A bill (H. R. 23669) providing for the disposition of town sites in connection with reclamation projects, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. NYE: A bill (H. R. 23670) defining adulterated butter and prohibiting the manufacture and sale thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: A bill (H. R. 23671) authorizing the Forestry Service of the Department of Agriculture to cooperate with the University of Idaho in investigating the methods of obtaining the greatest economic use of timber grown in Idaho and other northwestern States, and for other purposes; to the Committee on Agriculture.

By Mr. LENROOT: A bill (H. R. 23672) providing for the use of tracts of land in forest reservations by fraternal and benevolent associations for sanitarium and camping-ground purposes; to the Committee on the Public Lands.

By Mr. WILSON of Pennsylvania: A bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen; to the Committee on the Merchant Marine and Fisheries.

By Mr. CARY: A bill (H. R. 23674) authorizing the Secretary of the Interior to set aside certain lands to be used as a sanitarium by the Order of Owls; to the Committee on the Public Lands.

By Mr. LAFFERTY: A bill (H. R. 23675) supplementing the joint resolution of Congress approved April 30, 1908, entitled "Joint resolution instructing the Attorney General to institute certain suits," etc.; to the Committee on the Public Lands.

By Mr. HARDY: A bill (H. R. 23676) to regulate the officering and manning of vessels subject to the inspection laws of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. KORBLY: Resolution (H. Res. 507) relative to life-saving equipment for vessels of the United States Navy; to the Committee on Naval Affairs.

By Mr. MOORE of Pennsylvania: Resolution (H. Res. 508) directing the preparation and report to Congress of a full and complete list of wharves, piers, docks, and real estate owned or controlled by foreign steamship companies in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. GOOD: Resolution (H. Res. 509) directing the Postmaster General to transmit to the House data relative to unworked mails at certain terminals; to the Committee on the Post Office and Post Roads.

Also, resolution (H. Res. 510) directing the Postmaster General to transmit to the House a statement showing the hours of road duty of railway mail clerks; to the Committee on the Post Office and Post Roads.

By Mr. NORRIS: Resolution (H. Res. 511) requesting the President of the United States to transmit to the House a copy of any charges filed against Robert W. Archbald, associate judge, United States Commerce Court, etc.; to the Committee on the Judiciary.

By Mr. SULZER: Joint resolution (H. J. Res. 307) authorizing the Secretary of Commerce and Labor to award a medal of honor to Capt. A. H. Rostrom; to the Committee on the Merchant Marine and Fisheries.

By Mr. WARBURTON: Joint resolution (H. J. Res. 308) to permit Capt. Arthur Waldo Lewis to wear military decorations bestowed upon him by the British Government, for services, while he may be engaged in the service of the Organized Militia or United States Army; to the Committee on Military Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 23677) granting an increase of pension to Elmore Y. Sturgis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23678) granting an increase of pension to Harrison Craig; to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 23679) authorizing the Secretary of War to donate one cannon with its carriage and cannon balls to the city of Holton, Kans.; to the Committee on Military Affairs.

Mr. BATHRICK: A bill (H. R. 23680) granting an increase of pension to Ann Miller Wyckoff; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 23681) granting an increase of pension to William H. Van Brunt; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 23682) to correct the naval record of Michael Philbin; to the Committee on Naval Affairs.

Also, a bill (H. R. 23683) for the relief of William A. Power; to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 23684) for the relief of J. F. Blair, trustee in bankruptcy of the Dilworth Coal Co.; to the Committee on Claims.

By Mr. DONOHUE: A bill (H. R. 23685) to correct the military record of William H. Johnson; to the Committee on Military Affairs.

Also, a bill (H. R. 23686) to correct the military record of James Lanahan; to the Committee on Military Affairs.

By Mr. MICHAEL E. DRISCOLL: A bill (H. R. 23687) for the relief of Patrick Burke; to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 23688) granting an increase of pension to Edward Spaulding; to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 23689) for the relief of Bernard Citroen; to the Committee on Claims.

By Mr. GRIEST: A bill (H. R. 23690) granting an increase of pension to Sashwell Turner; to the Committee on Invalid Pensions.

By Mr. HENSLEY: A bill (H. R. 23691) granting an increase of pension to Wiley Smith; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 23692) granting an increase of pension to Elizabeth Tinsley; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 23693) granting an increase of pension to Mrs. Tamson E. Boylston; to the Committee on Invalid Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 23694) granting an increase of pension to James Skeans; to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 23695) granting an increase of pension to Charles W. Bowman; to the Committee on Invalid Pensions.

By Mr. NYE: A bill (H. R. 23696) to correct the military record of Henry Smith; to the Committee on Military Affairs.

By Mr. PATTON of Pennsylvania: A bill (H. R. 23697) granting an increase of pension to Seymour Ross; to the Committee on Invalid Pensions.

By Mr. PEPPER: A bill (H. R. 23698) granting an increase of pension to Benjamin Anderson; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 23699) granting a pension to Mary E. Faulder; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 23700) for the relief of G. B. Turner; to the Committee on War Claims.

Also, a bill (H. R. 23701) for the relief of Malinda Davis; to the Committee on War Claims.

Also, a bill (H. R. 23702) for the relief of the heirs of Wash Well, deceased; to the Committee on War Claims.

Also, a bill (H. R. 23703) for the relief of the heirs of Enoch Rainwater, deceased; to the Committee on War Claims.

By Mr. PRINCE: A bill (H. R. 23704) granting an increase of pension to George F. Rebman; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 23705) for the relief of Joseph Bourgeret; to the Committee on Military Affairs.

By Mr. SHERWOOD: A bill (H. R. 23706) granting an increase of pension to Marion Goodell; to the Committee on Invalid Pensions.

By Mr. J. M. C. SMITH: A bill (H. R. 23707) granting a pension to Winifred B. Shanks; to the Committee on Pensions.

Also, a bill (H. R. 23708) granting a pension to Mary J. Weddel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23709) granting a pension to Amanda Boyden; to the Committee on Invalid Pensions.

By Mr. STEENERS: A bill (H. R. 23710) granting an increase of pension to Charles E. Smith; to the Committee on Invalid Pensions.

By Mr. WARBURTON: A bill (H. R. 23711) granting a pension to Adelaide W. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 23712) to restore to the active list First Lieut. of Engineers Henry O. Slayton, retired, United States Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON of Minnesota: Petition of J. W. Rice and 9 others, of Lewiston, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ANSBERRY: Memorial of Ohio Society, Sons of the Revolution, in favor of publication of the unpublished archives of the Government relating to the War of the Revolution; to the Committee on Military Affairs.

By Mr. BURKE of Pennsylvania: Memorial of the Council of the city of Pittsburgh, Pa., against passage of House bill 21292, to build a bridge over the Monongahela River at Pittsburgh; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE of Wisconsin: Remonstrance of Cream City Brewing Co., of Milwaukee, Wis., against the passage of any and all bills having for their object prohibiting or further restricting the sale of wine, beer, and liquor in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BURNETT: Petition of New Prospect Local, No. 621, F. E. and C. U. of A., of Ragland, Ala., favoring passage of a general parcel-post system; to the Committee on the Post Office and Post Roads.

Also, resolutions of the Order of Railway Conductors, Birmingham Division, No. 186, Birmingham, Ala., favoring passage of employers' liability and workmen's compensation act; to the Committee on the Judiciary.

By Mr. CALDER: Petitions of the Vermont Humane Society and the Humane Society of New Jersey, for enactment of House bill 17222; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Royal Tailors of Chicago, Ill., protesting against House bill 16844; to the Committee on Interstate and Foreign Commerce.

Also, petition of Sprague, Warner & Co., of Chicago, Ill., for enactment of House bill 4667; to the Committee on Interstate and Foreign Commerce.

By Mr. CATLIN: Petition of the Mallinckrodt Chemical Works, of St. Louis, Mo., urging adequate appropriation to close crevasses and protect levees in the Mississippi Valley to avoid further damage from floods; to the Committee on Rivers and Harbors.

By Mr. DICKINSON: Petition of S. H. Lyon and 28 other citizens of Osceola, Mo., against removal of tax on oleomargarine; to the Committee on Agriculture.

Also, papers to accompany bill for the relief of the heirs of Joseph F. Brooks, deceased; to the Committee on War Claims.

By Mr. DYER: Petition of the Mallinckrodt Chemical Works, of St. Louis, Mo., for appropriation to protect levees in the Mississippi Valley; to the Committee on Rivers and Harbors.

Also, petition of Vandavia Post, No. 466, Grand Army of the Republic, for enactment of House bill 14070; to the Committee on Invalid Pensions.

Also, petition of George W. Martin, of Culebra, Canal Zone, for enactment of House bill 21771; to the Committee on Reform in the Civil Service.

Also, petition of National Board of Trade, relative to patent legislation; to the Committee on Patents.

Also, petition of J. H. Phillips, of St. Louis, Mo., for a Lincoln memorial road from Washington to Chickamauga Park, etc.; to the Committee on the Library.

Also, petition of the Stark Distillery Co., of St. Louis, Mo., protesting against House bill 17593; to the Committee on the Judiciary.

By Mr. FITZGERALD: Resolutions of the directors of the American Manufacturers' Export Association, favoring House bill 20044, for improvement of foreign service; to the Committee on Foreign Affairs.

Also, memorial of the board of directors of the Progressive Union of New Orleans, against any reduction in the appropriations for the Diplomatic and Consular Service which will curtail the present facilities for furthering the foreign trade of the United States; to the Committee on Foreign Affairs.

Also, memorial of the registration committee of the Metropolitan Association of the Amateur Athletic Union, urging that the appointment of James E. Sullivan as United States commissioner to the Olympian championship be secured; to the Committee on Foreign Affairs.

Also, petition of citizens of Alliance, Ohio, urging an appropriation of \$250,000 to carry out the provision of the white-slave traffic act; to the Committee on Appropriations.

Also, memorial of the Chamber of Commerce of the State of New York, favoring passage of House bill 20044, providing for examination for persons seeking appointments to Diplomatic and Consular Service; to the Committee on Foreign Affairs.

Also, memorial of Maj. Gen. George F. Elliott Camp, No. 84, Department of New York, United Spanish War Veterans, Brooklyn, N. Y., favoring passage of House bill 17470 for pension for widows and minor children of Spanish War veterans; to the Committee on Pensions.

Also, memorial of the Chamber of Commerce of the State of New York, believing that the Panama Canal when completed should be open to all tonnage irrespective of ownership, protest against any legislation which departs in any degree from that broad and equitable policy; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chamber of Commerce of the State of New York, favoring a change in the navigation laws of the United States that will permit the citizens to purchase tonnage in the cheapest market, own it in their own names, sail it under the flag of the United States, and operate it on a competitive basis of cost with the tonnage of other nations; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the board of directors of the Cleveland Chamber, urging upon the Committee on Appropriations the desirability of continuing and developing the usefulness of the Bureau of Manufactures of the Department of Commerce and Labor; to the Committee on Appropriations.

Also, memorial of the local Board of Trade of Niagara Falls, N. Y., protesting against proposition to omit from the appropriation bill provision for the Bureau of Manufactures and requesting an increase in appropriation for next year; to the Committee on Appropriations.

Also, memorial of State Federation of Pennsylvania Women, favoring appropriation of \$105,000 for pier at the Philadelphia immigrant station, Gloucester City, N. J.; to the Committee on Appropriations.

Also, memorial of the Chamber of Commerce of the State of New York, favoring passage of the Hughes-Borah bill, providing for the establishment of a Federal commission on industrial relations; to the Committee on Rules.



Also, petition of policemen and elevator men of the House of Representatives, relative to the closing of all doors in the House Office Building on Sunday and holidays except the main rotunda door northward and all elevators except one; to the Committee on Rules.

Also, memorial of New York Board of Trade and Transportation, relative to the pay of commissioned medical officers of the Public Health and Marine-Hospital Service of the United States and favoring enactment of Senate bill 2117; to the Committee on Interstate and Foreign Commerce.

By Mr. FORNES: Memorial of the Chamber of Commerce of the State of New York, relative to operation of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of the North Side Board of Trade in the city of New York, for improvement of a certain portion of Harlem River; to the Committee on Rivers and Harbors.

By Mr. FOSS: Petitions of Newman & Guch, Emil Griefen, and Hugo H. Wortmann, of Chicago, Ill., for legislation prohibiting the use of trading coupons; to the Committee on Ways and Means.

Also, petitions of W. W. Buchanan and William A. Vawter, of Chicago, Ill., for reduction in the rates on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of American League of Associations, protesting against the enactment of parcel-post legislation until after investigation and report by an impartial commission; to the Committee on the Post Office and Post Roads.

By Mr. GOLDFOGLE: Petition of Frederick W. Cole, of New York, and Dock & Mill Co., of North Tonawanda, N. Y., favoring passage of House bill 357, known as the Jackson resolution regarding the insurance, investigating, and standardizing, etc.; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the American Cotton Manufacturing Association, against passage of any bills relating to the sale and purchase of cotton to be delivered on contract on the cotton exchanges of this country; to the Committee on Agriculture.

Also, petition of Mendelsohn, Bornemann & Co., of New York, favoring passage of Senate bill 6103 and House bill 22766, for prohibiting the use of trading coupons; to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of the State of New York, against any legislation which prohibits the Panama Canal from being open to all tonnage irrespective of ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. HINDS: Petitions of members of Improved Order of Red Men of the State of Maine, for erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Sebago Lake, Me., favoring passage of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of the Methodist Episcopal Church of Mat-tawamkeag, Me., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Charles E. Webber and 86 other citizens of Lebanon, Me., favoring passage of Kenyon-Sheppard interstate liquor law; to the Committee on the Judiciary.

Also, resolutions of Arthur H. Kenison and 28 other members of Edward Grange, No. 151, of Parsonsfield, Me., favoring passage of parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of L. C. Leavitts and 28 other members of Elmwood Grange No. 151, of North Parsonsfield, Me., favoring passage of a postal-express service; to the Committee on the Post Office and Post Roads.

By Mr. KINKHEAD of New Jersey: Petitions of the A. T. Lewis & Son Dry Goods Co., of Denver, Colo.; Schipper & Block, of Peoria, Ill.; and Younker Bros., of Des Moines, Iowa, for continuance of the Tariff Board; to the Committee on Ways and Means.

By Mr. KINKAID of Nebraska: Petition of citizens of Mitchell, Nebr., advising the making of an appropriation out of Federal river and harbor fund for the construction of drainage ditches for the purpose of carrying the seepage or waste water to the North Platte River from the Government irrigable area; to the Committee on Rivers and Harbors.

By Mr. LEVY: Memorial of the Chamber of Commerce of the State of New York, against any legislation which prohibits the Panama Canal from being open to all tonnage irrespective of ownership; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the New York State delegation to the National Rivers and Harbors Congress, at Washington, D. C., 1911, urging that appropriations for works in connection with the new barge canal be included in rivers and harbors bill now pending; to the Committee on Rivers and Harbors.

Also, resolutions of the registration committee of the Amateur Athletic Union, urging upon the President of the United States the necessity of appointing a commissioner to represent the United States Government at the coming Olympian championships to be held in Stockholm; to the Committee on Foreign Affairs.

By Mr. LEWIS: Petition of the Church of the Brethren of Frederick City, Md., praying speedy passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LINDSAY: Memorial of the North Side Board of Trade, city of New York, Borough of the Bronx, State of New York, indorsing resolution of the New York Board of Trade and Transportation, to amend the rivers and harbors bill, now pending, so as to make suitable and adequate provision for improving the Harlem River, N. Y., through Harlem Kills, and straightening the channel at the curve near Johnson Iron Works; to the Committee on Rivers and Harbors.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Falls City, Nebr., against reduction of the special tax on oleomargarine; to the Committee on Agriculture.

By Mr. MCGILLICUDDY: Memorial of the Woman's Christian Temperance Union of Woolwich, Me., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. PATTON of Pennsylvania: Petitions of Granges Nos. 534 and 1331, Patrons of Husbandry, for enactment of House bill 19133, providing for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Memorial of North Rose Grange, No. 1051, Patrons of Husbandry, North Rose, N. Y., favoring passage of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Papers to accompany bill for increase of pension to H. W. Howland; to the Committee on Invalid Pensions.

Also, memorial of the Chamber of Commerce of San Francisco, Cal., requesting that the United States recognize the new Republic of China; to the Committee on Foreign Affairs.

Also, memorial of the Lindsay Center (Cal.) Civic League, of Lindsay, Cal., favoring appropriation for enforcement of white-slave-traffic act; to the Committee on Appropriations.

By Mr. REILLY: Petition of members of St. Bonifacius Society and citizens of Meriden, Conn., against resolution of inquiry concerning Government institutions in which American citizens wearing the habit of various religious orders are employed; to the Committee on Indian Affairs.

By Mr. RODENBERG: Petition of residents of East St. Louis, Ill., for enactment of House bill 16450; to the Committee on the Judiciary.

By Mr. J. M. C. SMITH: Papers to accompany bill granting pension to Mary J. Weddel; to the Committee on Invalid Pensions.

Also, petitions of the Woman's Christian Temperance Union of Pittsford; Woman's Christian Temperance Union and Woman's Mission Society of Church's Corners; Congregational Church of Wheatland; Methodist Episcopal Church, Woman's Christian Temperance Union, Free Methodist Church, and Willing Workers, of Frontier; Woman's Christian Temperance Union, Hillsdale Grange (No. 71), Methodist Episcopal Church, Baptist Church, Missionary Society, and Congregational Church, of Hillsdale; Woman's Christian Temperance Union of Somerset; Wheatland Grange, No. 273, Wesleyan Methodist Episcopal Church and Free Baptist Church, of Pittsford; Baptist Church, Methodist Episcopal Church, and Presbyterian Church, of Reading; and 86 citizens of Litchfield, all in the State of Michigan, for passage of Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, petition of 23 citizens of Kalamazoo, Mich., to have a clause inserted in the naval appropriation bill for building one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of 22 members of the Woman's Christian Temperance Union of Marshall, Mich., favoring passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of 14 citizens of Sherwood, Mich., against passage of a parcel-post bill; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of New York: Petitions of Polish societies, protesting against imposing an educational test on immigrants; to the Committee on Immigration and Naturalization.

By Mr. TOWNER: Petition of the Woman's Christian Temperance Union of Shenandoah, Iowa, representing 200 members, favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.